

# **EIGHTH SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR APRIL 1, 2018 – OCTOBER 7, 2018**

***Office of the Technical Compliance Advisor/Federal  
Monitor to the Agreement for the Sustainable Reform  
of the Puerto Rico Police Department***

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## A Message from the Technical Compliance Advisor/ Federal Monitor

This is the Eighth (8<sup>th</sup>) Six-Month Report (“Report”) of the Technical Compliance Advisor (“TCA”) pursuant to the Agreement (“Agreement”) for the Sustainable Reform of the Puerto Rico Police Bureau (“PRPB”).<sup>1</sup> The Report covers the period between April 1, 2018 and October 7, 2018.<sup>2</sup> The same is a progression of the work of seven prior semi-annual reports submitted to the Court and the Parties covering four years of capacity building and a four-month extension agreed upon by the Parties and granted by the TCA under Paragraph 239. The capacity building period has now concluded, and this is the last written six-month report on this phase of the Agreement.

This Report evaluates the Commonwealth’s compliance with the Agreement by assessing the PRPB’s progress against the detailed steps and activities set forth in its Action Plans. These Action Plans were implemented in compliance with Paragraphs 234 through 239 of the Agreement. The Report assesses whether the time frames for those detailed activities have been met, and whether the Commonwealth of Puerto Rico has made satisfactory progress toward building sufficient capacity to successfully implement the Agreement.<sup>3</sup> In addition to assessing the progress made toward the implementation of the Action Plans and the Agreement, the Report summarizes the work conducted by the TCA for the six-month period ending on October 7, 2018.

Prior to discussing the findings of the last six months, I would like to discuss the significance of this transition from capacity building to compliance. Beginning in October 8, 2018, the Agreement has entered an entirely new phase. The period of capacity-building has ended, except for the thirty-three clusters of activities where the Parties have agreed to additional Paragraph 239 time-bound extensions, and the phase

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<sup>1</sup> For a review of the Agreement filed, see: Case 3-12-cv-02039-GAG. Docket No. 57 (Filed 07/07/2013)

<sup>2</sup> It should be noted that during the span of the above referenced dates the “Capacity Building Period” was still in effect and thus the reason for the use of Technical Compliance Advisor (TCA).

<sup>3</sup> See Paragraph 250 for reports the TCA must file, their content and format, during the first four years from the date of Appointment [June 6, 2014].

of compliance has commenced. The office of the Technical Compliance Advisor will no longer be providing mainly technical assistance to build capacity in compliance with the Action Plans. The TCA is now the Federal Monitor (“Monitor”) and his primary responsibility is to measure and monitor compliance with the requirements and outcomes set forth in Agreement rather than the Actions Plans.<sup>4</sup>

During the last 52 months, the Agreement required from the TCA to provide both, technical assistance and to work in measuring compliance with the Action Plans. My team and I focused precisely on executing that task. As I indicated in my first Report (December 2014), consistent with the Agreement, I envisioned my role as the TCA in terms of assessing and reporting the main challenges and obstacles facing the PRPB in the implementation of the Agreement and building capacity. As the TCA, I approached this challenging task with the understanding that this was a project that required expertise, experience, the application of rigorous scientific methodologies, integrity, and high ethical standards. In advancing the above objectives, one month after my appointment, jointly with the Parties, I was able to put together a team of highly qualified professionals and seasoned subject matter experts in all eleven areas of the Agreement. From day one in our first field visit as a team in July 2014, the team began to make immediate contributions. This was recognized by the PRPD in its Second Status Report stating that there was “an environment of collaboration and assistance between the Parties, the TCA and his team that is strengthening the goal of the intended Reform”.

The principles ingrained in the Agreement have been exactly the goals that my team and I committed to uphold and defend: the adoption by PRPD of constitutional effective policing, the professionalization of PRPD, and the restoration of community trust in the PRPD. Month after month, even in the immediate aftermath of Hurricanes Irma and Maria, my team has been on the ground working with and assisting the PRPB. Along with the teams from the Commonwealth and the United States Department of Justice, we developed a partnership aimed at building capacity to achieve these three goals.

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<sup>4</sup> The Agreement uses the term TCA. TCA means “Technical Compliance Advisor, a person or a team of persons, including any employee, agent, or independent contractor of the TCA, who shall be selected to review, assess, and report on the Commonwealth of Puerto Rico’s implementation of this Agreement.” (Agreement ¶ 11 (jjj)). However, in the public hearing of August 20, 2018, the Court announced that, starting the period of compliance in October 2018, the TCA will be referred to as the Federal Monitor. In this report, the term TCA is used for the capacity-building period and Federal Monitor is used for the period of compliance monitoring.

During these last four years, we worked closely with two units within the PRPB, the Reform Unit and the Police Academy. The Reform Unit in its policy making role and the Police Academy in its training development role have been the cornerstone of the capacity building processes within the PRPB. During this period, I have informed through my six-months reports and other assessments whether the PRPB has met “the timeline for each detailed step specified in the Action Plans,” and whether the PRPB has been “in full, partial, or noncompliance with the detailed steps.”<sup>5</sup> These reports have identified areas of substantial progress, particularly in policy creation and training, and have also outlined Agreement provisions and Action Plan steps where significant improvement was needed. The aforesaid areas in need of improvement will be further addressed in this document but, at this point in time, it is appropriate to first explain briefly the new role of my office.

Fifty-two months after my effective date of appointment on June 6, 2014, as I stated above, the PRPB finds itself in a different phase of the Agreement.<sup>6</sup> This is also the case for me and my team. The Agreement requires that the Monitor begins “to regularly conduct compliance reviews to assess the PRPB’s compliance with each of the Agreement provisions in Sections III through XIII.”<sup>7</sup> The Monitor must also measure and conduct outcome assessments, pursuant to Paragraph 243. The aforesaid process initiated on October 8, 2018.

To carry out the compliance reviews and outcome assessments under Paragraphs 242 and 243, the Monitor had to develop a monitoring plan and methodology in accordance with Paragraphs 245 through 248. Specifically, the Agreement required the Monitor to “develop a plan for conducting the above compliance reviews and outcome assessments” and “submit a proposed methodology” that will be used to monitor compliance.<sup>8</sup> The methodology was submitted to the Parties and after working closely

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<sup>5</sup> Paragraph 240.

<sup>6</sup> “Appointment Date” means the date when the Court enters an order approving the Parties’ selection of the TCA or when the Court enters an order appointing a TCA among candidates submitted by the Parties, consistent with Paragraphs 271-272. (Agreement ¶ 11 (f)). This language, as set forth in the Agreement, was intended to capture all agreed-upon and approved extensions of the Action Plans, pursuant to Paragraph 239.

<sup>7</sup> Paragraph 242.

<sup>8</sup> Paragraphs 245 and 248.

with them for almost nine months, I filed the proposed methodology and monitoring plan with the Court on October 5, 2018. The Court immediately approved it after conferencing with the Parties. The court-approved methodology is based on best national monitoring and auditing practices and adopts concepts and ideas used in other jurisdictions, such as Newark, New York, Cincinnati, Detroit, New Orleans, Baltimore, Albuquerque, and Seattle. In the incoming months, my team and I will work in implementing the work plan and the roadmap set forth in that methodology and monitoring plan.

The date of October 8, 2018, and this Report constitute an important milestone for yet another reason: it allows me to present my assessment of the progress achieved and where the PRPB is heading. First, we must engage in an account of the progress made and the challenges encountered to attain implementation. In the April 1, 2018 through October 7, 2018 reporting period, the PRPB met many, but not all the timeframes and milestones set forth to comply with the detailed steps imposed by the Action Plans. The Parties and the TCA have continued to conduct annual reviews and revisions of policies created or revised pursuant to the Agreement. These policies had to be updated based on the feedback received during their implementation. In most cases this has been a prevalent trend. However, in the next months of the monitoring period, my team and I will focus on evaluating the efficiency of those feedback processes.<sup>9</sup> For example some policy reviews have not been fully conducted, policies approved by the TCA and the United States have not been formally approved by the Police Commissioner, and more significantly, at time it is unclear what degree of feedback is incorporated into the enacted policies.

While it has been important for the TCA to assist PRPB in building its policy crafting capacity through the development of Plans, policies, and procedures, the Agreement's capacity building period has provided a unique opportunity for the PRPB to develop a culture of permanent training, meaningful self-evaluation, public accountability and community engagement.

During this reporting period, the TCA continued to evaluate the effectiveness of in-depth, scenario-based training for all relevant PRPB officers on selected use of force,

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<sup>9</sup> Paragraph 113. "PRPB shall review each policy or procedure created or revised pursuant to this Agreement on an annual basis for the first three years from the Appointment Date or upon notice of a policy deficiency, and biannually thereafter.

search and seizure, equal protection, and ethics policies. The overall assessment is that these training activities are well underway, but they need to be re-activated in certain critical areas of the reform. For example, much needed crisis intervention training just started during this reporting period, almost five years after the signing of the Agreement and domestic violence training has continued but it has not been completed.

To this date, my main concern in the area of training is the role of the Police Academy. As I stated in past reports, the Police Academy is the backbone of the Police Reform. The reform will be successful if and only if the Police Academy is at the center of all reform activities. As reported in the past, I have seen with great uneasiness the lack of a new class of cadets at the Police Academy and the gradual, but relentless loss of trained officers leaving the PRPB each month for other positions in law enforcement, resigning, or opting for retirement. In this context, investments in the PRPB's human capital plan and the Police Academy should be the Commonwealth's top public safety priority under the guidance provided by the Agreement.<sup>10</sup> Since March 2015, there has been only one PRPB class (Class 223) to graduate under the Agreement.<sup>11</sup> It is for this reason that, in the middle of significant inaction from the PRPB, I recommended to the Court, and the Court has adopted and mandated another Police Academy class once the findings of the Paragraph 13 study identified a deficit of more than 1,100 officers.

Paragraph 13 required the PRPB to conduct a personnel-staffing study to assess human resource needs by the PRPD. This requirement was highlighted under the Action Plan on Professionalization. The original deadline to meet this requirement was June 2016. The PRPB did not comply with this deadline and continued to postpone its implementation. Upon the insistence of the TCA, the PRPB assembled a working group to complete the staffing study and the former Police Commissioner put together a Request for Proposals. The study was finally completed during this reporting period, in April 2018. The required plan that follows the study was shared with the United States and the TCA on September 28, 2018 and has been recently released in October 2018.

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<sup>10</sup> To review previous TCA Six-Month Reports, see docket numbers 203, 245, 306, 382, 464, 609, and 723. Also, please visit the website (<https://www.policia.pr.gov/documentos-de-reforma-en-linea/>) of the PRPB for Police Reform and its documents ("ReformaPolicia"). See also the District Court's website for these documents.

<sup>11</sup> During this period, the Commonwealth submitted the Action Plan on Recruitment that provided for a multi-year, multi-pronged approach to meeting the staffing needs of PRPB. The Commonwealth also prepared a staffing plan submitted in September 2018, as required by Paragraph 13.



Although the study represents the first time that PRPB has evaluated comprehensively the workload on nearly all of its units to allow for more objective deployment of staff and resources, I failed to understand the lack of strategic vision on the part of PRPB not to complete the study earlier and the reasons for significant delays in the completion of the study. Furthermore, I strongly criticized the way PRPB continued to promote personnel and conduct random transfers (whether these arbitrary movements of personnel decisions affect the recent transfers from FURA, that I am currently evaluating pursuant to a court mandate, will soon be apparent) without first understanding the strategic and operational needs of the organization. Time and time again, I recommended that no promotions were to be made until the PRPB completed the staffing study, the staffing work plan and transfers were deemed warranted on the basis of the operational needs identified in the study and plan.

I am cognizant that Puerto Rico faces unprecedented fiscal problems and the government is searching for remedies to the economic situation, including the developing of private-public partnerships. The Agreement does not dictate who or what entity will operate the Academy. Accordingly, I have encouraged over and over again the PRPB to search for innovative ways to run the Academy, including new funding and grant opportunities. It is for this reason that I do not object to but will closely monitor the implementation of any private-public partnership that the Commonwealth may develop to lessen the economic impact of a new class at the Police Academy.

During the last six months, the TCA has also provided assistance to the PRPB in other key training matters, including the re-invigoration of the Field Training Officer (“FTO”) Program; a program, which has shown significant value to the overall process of the Reform. My team and I are concerned that the progress made in the first two years of the Agreement is now in question as we have documented in past reports due to the fact that many trained officers have left the PRPB and the certifications may have expired for many of those remaining in the force.

In the past six months covered by this Report, I have continued to aggressively assist in the process of restoring community trust in the PRPB. In the next six months, I will release the findings of a new round of community surveys under Paragraph 241. The findings to this date are not positive. It is for that reason that the Court scheduled several town halls during this reporting period. They have already taken place and will continue to happen in all corners of Puerto Rico. The goal of these town halls is to engage in active listening of complaints, claims and suggestion to have direct, personal

engagement with the community. I continue to work tirelessly to support the PRPB's officer training while ensuring that the PRPB directly hears from the communities.

Although there have been areas of progress, I have found, consistent with Paragraph 250(d), additional persistent challenges and have accordingly made recommendations regarding necessary steps to achieve compliance.<sup>12</sup> In a recent presentation to the Police leadership, I highlighted some of those problems that I identified in the previous seven reports. For example, I identified problems with the command and control of the PRPB, persistent lack of trust by the residents and community groups, delays in the implementation of Paragraph 13, and concern with the policing of mass demonstrations and the handling of administrative complaints and internal investigations.

As the Agreement has now reached its fourth plus official year of capacity building, this final report under the capacity building period is to globally assess whether the timeframes set forth by the Agreement and the Action Plans have been met.<sup>13</sup> To this date, my assessment continues to be that the PRPB has only partially met the original four-year capacity-building timeframe (including the TCA-granted four-month extension) set forth in the Agreement and the Action Plans. To make this determination, my team and I have reviewed and have assessed whether the PRPB has met the timeline for each detailed step specified in the Agreement and the Action Plans. Although the timelines have been met in certain detailed steps, particularly steps concerning the production of policies and training materials, there are very important detailed steps, including policy drafting and training steps, for which the Commonwealth has requested additional time extensions because it has not been able to meet the agreed upon milestones. In reviewing the reasons for these delays, my assessment shows that Hurricanes Irma and Maria are neither the sole nor the main cause for the Commonwealth not meeting the agreed upon timeframes. Other reasons appear to account for these delays as I have documented in the past. As I have submitted in past reports, the delays respond more the effect of the spur-of-the-moment implementation

<sup>12</sup> See Paragraph 250 (d): "[f]or any detailed steps that were reviewed and found not to have been fully implemented in practice, the TCA's recommendations regarding necessary steps to achieve compliance; and."

<sup>13</sup> Paragraph 240 requires that, for the first four years from the appointment date [June 6, 2014] of the TCA, the TCA evaluates "PRPB's compliance with this Agreement by assessing PRPB's progress against its Action Plans."

of Law 20-2017, the lack of leadership and changes in leadership, and other systemic deficiencies affecting PRPB's organizational performance.<sup>14</sup>

It is my assessment that there has been very limited progress in meeting the required deadlines from April 2018 to the end of this reporting period. In March 2018, the Court noted for the record the request for the extension of the timeframe for twenty-five (25) detailed steps in the Action Plans as agreed upon by the Parties. Although on or before April 6, 2018, the Commonwealth was to submit additional requests for extension in the timeframes for additional steps in the Action Plans, that submission did not take place until October 12, 2018.

Beyond meeting deadlines, the TCA six-months reports are to assess from a substantive point of view whether the Commonwealth is making satisfactory progress towards building capacity to enable the Commonwealth to successfully implement the Agreement. My overall assessment is one of partial compliance with unsatisfactory progress made in key compliance areas. The PRPB is, in most instances, in full or partial compliance in meeting policy and procedure development as well training development steps in the Action Plans. However, it is in non-compliance in key data collecting and reporting objectives as well as implementation objectives defined in the Action Plans. For example, my team and I have documented limited PRPB capacity to track and report accurate use of force data, partial capacity to identify training needs at the individual and unit level, and inadequate capacity to adequately investigate civilian complaints against officers. Furthermore, there are areas such as Professionalization, Supervision and Management, Administrative Complaints, and Information Systems and Technology where the PRPB is non-compliant in key steps and is far from making satisfactory progress towards the implementation of the Agreement.

In order to reach this determination, I have assessed whether the PRPB has made satisfactory progress in each detailed step specified in the Action Plans. While the PRPB has either fully complied or partly complied with many policy and training development steps that were crucial in the first three years of the Agreement, there are very important, significant detailed steps scheduled for the third and fourth years of the Agreement for which the Commonwealth has not made satisfactory progress and has been rated non-compliant.

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<sup>14</sup> See: Docket No. 624.

Although a detailed analysis of each step is to be found in the body of the Report and the Appendix with the specific tables, I hereby address in greater detail my overall assessment of partial compliance with unsatisfactory progress made in certain key compliance areas. For example, in this reporting period I have again identified that one of the major challenges is the persistent delay in the area of Information Technology. This is an area where the PRPB is yet to meet in any substantial and tangible way the demands of the Action Plan as documented by the extensions requested.

As other reports did, this Report continues to provide a current assessment of where the PRPB is on Information Technology at the end of the capacity building period. This is an area where the incorporation of a subject matter expert in the TCA's office in 2016 was key to better support the PRPB. Given the chronic infrastructure and technology needs throughout the PRPB, the TCA recognizes that overcoming these barriers in the next twelve months requires a concerted and sustained effort, together with proper oversight, in order to ensure that the PRPB's investments facilitate full and timely implementation of the Agreement demands. There is evidence that the PRPB's capacity to manage IT projects through its existing personnel is inadequate. My team and I will work closely with the PRPB so that the required resources and training are properly identified and properly addressed during the extended period.

Another documented challenge, which I have already noted above, is the slow progress in creating a robust and solid strategic staffing plan as required under Paragraph 13 of the Agreement.<sup>15</sup> Both, the study and the work plan, have finally been submitted during this reporting period. It is a basic fact that the staffing study and the related work plan were the first of its kind at PRPB. PRPB has never used a comprehensive workload approach to staffing and resource allocation. However, the findings are devastating and have confirmed the reasons why this study was needed in 2016 including the fact that deployment and staffing allocations were for many years subjective and often improper. Moving forward, the most important fact found in the Commonwealth's staffing study is that, compared to the staffing situation in 2013 and 2014, there is a deficit of near 1,200

<sup>15</sup> See Paragraph 13 which reads as follows: "PRPB shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPB shall conduct a staffing allocation and resource study. The study shall form the basis for a staffing and resource allocation plan that is consistent with community-oriented policing principles and supports the systematic use of partnerships and problem-solving techniques. To foster community-oriented policing, the plan shall consider deployment practices that offer officers opportunities to serve the communities in which they reside."

officers to meet the workload demands. In addition, there is evidence that more than 2,000 officers could be better utilized with proper civilianization of certain police operations. There is evidence of an aging police department and the problem is likely to get worse before it gets better. As in the past, my assessment is that it is blatantly apparent that the lack of a consistent staffing approach for more than two years has limited the PRPB operationally and strategically. The damage is done. These staffing limitations have manifested fully in the rank-and-file frustration regarding overtime and other personnel issues in addition to the massive staffing exodus. Since my first six-month report, I warned the Parties and the Court that staffing matters, both directly and not directly covered by the Agreement (e.g., compensation, overtime, increased sick leave, impermissible protest by officers), would ultimately end up affecting the reform process if left unattended.<sup>16</sup>

In the last reporting period, there have been other challenges and recommendations that I have identified as areas for urgent action. They were the need for the PRPB to reinvigorate its community outreach and the demands for an immediate strengthening of civil rights and civil liberties protections when conducting police operations in the areas of policing of mass demonstrations and handling administrative complaints.

In this reporting period, my team has evaluated compliance with both the Equal Protection Action Plan and the internal disciplinary processes covered under the Administrative Complaints Action Plans. As this Report documents, the main finding is that a system for investigating and addressing administrative complaints, in particular complaints of equal protection and non-discrimination, continues to lag far behind where it must be. In addition, the PRPB's capture and use of officer performance data in order to build an effective Early Intervention System ("EIS"), to guide it in the delivery of services, supervision, professional development of officers and risk management, also requires significant attention from the top leadership during the period of compliance. The EIS policy is still in development phase with still a lot of work pending to be done. Similarly, much work remains on bringing about significant operational and technological changes to the performance evaluation systems as well as the investigative and disciplinary processes affecting the PRPB personnel. The PRPB must improve immediately their processes for investigating and reviewing use of force, investigating officer misconduct, supervising problem-prone officers, managing personnel resources, and imposing discipline if they want to have credibility both before the public and their employees. Finally, as reported in a follow-up study, there is an

<sup>16</sup> See: Docket No. 203. TCA, First Six-Month Report (June 6, 2014 – December 6, 2016. Submitted to the Court: February 9, 2015. Page 7).

increasing backlog of administrative complaints that raises concerns about the expediency of the progress made in past years.

During this reporting period, the Court also ordered to pay special attention to budgetary matters. The Action Plans identified PRPB's infrastructure and budgetary needs. It also provided steps to meet them. In 2018, I have conducted a thorough assessment of the infrastructure and budgetary needs defined in the Action Plans and required "to place the PRPB in a position to implement" each of the Agreement's provisions within four years from my appointment date and in accordance with the implementation schedules set forth in the Action Plans.<sup>17</sup> These economic evaluations have been shared with the Parties. In October 2018, the Parties and the TCA had a meeting with the Financial Oversight and Management Board ("FOMB") to discuss this matter in greater detail.

Based on the information available, the PRPB had only used about 20% of the funds assigned to the Reform since 2013. Moreover, the TCA received notification that at least \$1 million (or 5% of the total reform funding) was frozen for this fiscal year in September 2018. In October 2018, at the meeting that my office scheduled, the FOMB clarified that the 5% set-aside did not apply to the \$20 million assigned for reform.

Furthermore, in 2018, the USDOJ and the TCA were alerted that the PRPB had not used any of the approximate \$2.8 million available in federal asset forfeiture funds that were assigned for police reform purposes for fiscal year 2017-2018.<sup>18</sup> The situation was so dire that the federal administrators threatened to take these forfeiture funds away. It was only recently that the Commonwealth has committed to resolve this issue. My assessment is straightforward on this issue: the administrative hurdles created by the implementation of Act 20-2017 have just accentuated structural deficiencies identified in

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<sup>17</sup> See Paragraph 237.

<sup>18</sup> In December 2013, the United States Department of Justice reinstated the PRPB into the Equitable Sharing Program. The reinstatement was conditioned upon PRPB's use of equitable sharing funds to implement and fulfill the Agreement. Since December 2013, the Commonwealth received \$16.7 million in equitable sharing funds. PRPB used most of these funds from FY 2014 to FY 2017. The United States made equitable sharing payments of cash and sale proceeds to the PRPB for an amount of \$5,496,710 in FY 2014, \$5,969,617 in FY 2015, \$1,206,941 in FY 2016, and \$987,032 in FY 2017. (see: <https://www.justice.gov/afp/reports-0>). In February 2018, there was a carry-over of \$2.2 million plus \$652,092 at hand.



the past regarding the budgetary autonomy of the PRPB. In my assessment, these budgetary obstacles have further prevented the PRPB from making satisfactory progress toward implementation of the Agreement and the Action Plans.

My ultimate assessment is that the most crucial challenge to the timely implementation of the Agreement and the Action Plans during this reporting period and the last two years of the capacity building period has been the crisis of leadership and management affecting the PRPB and the lack of direction in the implementation of Act 20 of 2017. This crisis has created tremendous uncertainty in all ranks of the PRPB and this lack of confidence persists in 2018. The fact that the current management structure has been not working well has been clearly established during this and the last reporting periods when the progress made toward the implementation of the Action Plans has come close to a standstill. It is for this reasons that I noted that I will not hesitate to recommend to the Court actions that restore satisfactory progress toward implementation and that the Court has openly warned the Commonwealth of the dangers of inaction and its remedies.

In my view, this is what the PRPB must do in the coming months to address the lack of progress as we end the capacity building process and we enter the period of monitoring compliance.

First, all policies related to the Agreement must be in place and all officers should be trained on them, by no later than December 31, 2019, in order to measure operational compliance. Policy compliance is a condition of training compliance and policy and training compliance are a condition of operational compliance. Paragraph 242 requires that the Monitor evaluate these compliance levels for each paragraph of the Agreement.

In the first part of 2019, the PRPB should be revamping training, protocols, procedures, and processes for reviewing internal investigations of alleged officer misconduct and the investigation and specifically review of use of force incidents. This means that, as of October 1, 2018, except for the areas where an extension may be granted, PRPB officers will be operating under policies and training that must immediately meet the requirements of the Agreement.

Relatedly, the PRPB, in partnership with the other Commonwealth agencies, should also be developing new Crisis Intervention Team (CIT) policies and training for

responding to individuals experiencing a behavioral health crisis. Another primary area of focus for the PRPB should be non-discrimination and bias-free policing. After receiving input from police officers, officer organizations, and community members and organizations, the PRPB should strengthen non-discrimination policing policy and training to incorporate the principles of procedural justice. The goal is to make sure that all policies and training implemented in practice are designed to ensure that police services are delivered free from bias and discrimination.

More generally, the PRPB should begin implementing the staffing work plan by no later than December 2018. That Plan must communicate the PRPB's commitment to community-oriented policing, should reflect the input of community groups and officers. Consistent with the revised plan, the PRPB must develop a new, comprehensive strategy for implementing a community and problem-oriented policing model.

The PRPB must immediately implement a new recruitment policy and strategic recruitment plan that includes clear goals, objectives, and action steps for attracting qualified applicants from a broad cross-section of the community. During the early part of 2019, supervisors should continue to receive training that will be consistent with their new and enhanced responsibilities with respect to the central compliance areas of the Agreement.

In the early months of 2019, the PRPB should also assist in the completion of the comprehensive surveys set forth by Paragraph 241. We are finding some resistance to required compliance. In addition, the preliminary findings reveal lack of progress and in some instances, retrogression. The PRPB should evaluate these findings carefully as community trust is one of the three pillars of constitutional policing.

The PRPB should work closely with officers, community members, stakeholders, and the PRPB to measure whether officers have the tools and resources that they need to effectuate the priorities associated with problem-solving and community-oriented policing strategies. I summon the PRPB to complete the community policing assessment of the Staffing Plan and ensure that the PRPB deploys the appropriate number of personnel to perform the functions necessary for the PRPB to fulfill its mission and satisfy the requirements of the Agreement while addressing the needs of officers.



Early next year, the PRPB should guarantee that efforts are underway to ensure that SARP receives and investigates civilian complaints of officer misconduct and performs high-quality, objective investigations. For this to happen, SARP officers must have the training, expertise, and composition to ensure fair, expeditious, objective, and rigorous assessment of misconduct investigations. Finally, the PRPB must make significant progress in the implementation of the Early Intervention System, its policies and systems.<sup>19</sup>

The milestones detailed above are my recommendations. I strongly urge the PRPB to evaluate them and develop their own implementation plan for the forthcoming first two years of the compliance phase.

The overarching aim of the Agreement is that police services delivered to the people of Commonwealth of Puerto Rico must fully comply with the Constitution and laws of the United States and Puerto Rico, promote public and officer safety, and increase public confidence in the PRPB and its officers. To achieve this goal, community members must have a role in how the Agreement is implemented and a venue through which to voice their experiences, concerns, and ideas.

In April 2018, the Court and the Federal Monitor introduced the Town Halls Community Meetings hosted by the Monitor, the Parties and the PRPB. At these meetings, the Monitor provides an overview of his role in the Agreement and addresses questions that community members may have about the Agreement and monitor-ship. The community members are also given the opportunity to voice their complaints as well as their positive remarks regarding the Reform process. These meetings will continue during the compliance period which started on October 8, 2018.

The Monitor takes this opportunity to thank all involved in the Reform process for their continued support and cooperation.

**ARNALDO CLAUDIO, US ARMY, COL. (RET)**

Federal Monitor/Technical Compliance Advisor

<sup>19</sup> The context for this observation is that PRPB has not trained its administrative investigators on conducting administrative investigations. The Parties agreed to extend this activity in the Action Plans.

## TCA Reports under the Agreement

### *Paragraph 250 of the Agreement:*

“During the first four years, from the Appointment Date, the TCA shall file with the Court, written public reports every six months that shall include:

- a) a description of the work conducted by the TCA;
- b) a listing of each detailed step in the Action Plans and its timeframe indicating whether the timeframe has been met, and whether the Commonwealth of Puerto Rico is making satisfactory progress toward implementation of the Agreement by rating PRPB in full, partial, or non-compliance steps in the Action Plan;
- c) the methodology and specific findings for each review conducted, where appropriate, and redacted as necessary for privacy concerns. An un-redacted version shall be filed under seal with the Court and provided to the Parties. The underlying data for each audit or review shall not be publicly available, but shall be retained by the TCA and provided to either or both Parties upon request;
- d) for any detailed steps that were reviewed and found not to have been fully implemented in practice, the TCA’s recommendations regarding necessary steps to achieve compliance; and
- e) a projection of the work to be completed during the upcoming reporting period and any anticipated challenges or concerns related to implementation of the Agreement.”

### *Paragraph 252 of the Agreement:*

“The TCA shall provide a copy of the six-month reports to the Parties in draft form within 15 days after the end of the reporting period. The Parties shall have fifteen calendar days upon receipt of the draft report to allow the Parties to informally comment on the draft report. The TCA shall consider the Parties’ responses and make appropriate changes, if any, and shall file the final report with the Court within 45 days of the end of the review period. DOJ and PRPB may file responses to the TCA’s final report within 30 days.”

## Introduction

This is the Eighth Semi-Annual Report (“Report”) of the Technical Compliance Advisor (“TCA”) [Federal Monitor as of October 8, 2018] in the Agreement (“Agreement”) for the Sustainable Reform of the Puerto Rico Police Bureau (“PRPB”).<sup>20</sup> The Report assesses the progress made by the PRPB toward implementing the Agreement and the Action Plans in the aftermath of the two hurricanes that devastated Puerto Rico in September 2017. It also reports on the current challenges to the sustainability of the Reform, and summarizes the work conducted by the TCA for the six-month period ending on October 7, 2018.<sup>21</sup> October 7, 2018 was also the last day of the capacity building period except for the limited number of thirty-three items in which the Commonwealth and the United States have jointly requested an extension under Paragraph 239.

As Paragraph 226 sets forth, the TCA has the duties, responsibilities, and authority conferred by the Agreement under the supervision and order of the Court without replacing or assuming the role and duties of the PRPB and its leadership.<sup>22</sup> Pursuant to the terms of the Agreement, it is the responsibility of the TCA to provide technical assistance during the capacity building period.<sup>23</sup> The TCA also systematically reviews and approves Action Plans, policies, procedures, programs, protocols, training, and

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<sup>20</sup> Prior to the implementation of Act 20 of 2017 creating the umbrella agency known as the Department of Public Safety (“DPS”), the Puerto Rico Police Bureau (“PRPB”) was a separate government agency known as the Police Department of Puerto Rico (“PRPD”). The Agreement uses the term PRPD. This Report will use the term PRPB except when citing from the Agreement.

<sup>21</sup> The Agreement refers to six-month reports. However, in the aftermath of Irma and Maria, the Parties and the TCA agreed to issue an interim six-month report and then a subsequent final (ninth-month) report. The interim report covered the period from June 6, 2017 to December 6, 2017. The final report covered the period from June 6, 2017 to March 31, 2018.

<sup>22</sup> See Paragraph 11, jjj: “TCA means ‘Technical Compliance Advisor,’ a person or team of people, including any employee, agent, or independent contractor of the TCA, who shall be selected to review, assess, and report on the

Commonwealth of Puerto Rico’s implementation of this Agreement.” The TCA’s role and duties are defined in Paragraphs 15, 17, 60, 137, 220, 225-279, 288, 289, 293, 295, 296, 300.

<sup>23</sup> See Paragraphs 236, 255.

systems of the PRPB.<sup>24</sup> Furthermore, the TCA reports on PRPB's implementation of this Agreement, their Action Plans, and their intended impact.<sup>25</sup>

It is ultimately the task of the TCA to measure the nature and the extent of the PRPB's compliance with the terms set forth in the Agreement and the Action Plans (which were deemed incorporated into the Agreement upon submission to and approval by the Court). The findings and recommendations made on this Report are based on his authority to assess and report on the Agreement's implementation and whether this implementation is "resulting in constitutional and effective policing, professional treatment of individuals, and increased community trust of PRPB."<sup>26</sup>

Prior to September 2017, the PRPB made satisfactory progress in building capacity, drafting and updating policies, conducting required trainings, and implementing the eleven Action Plans for the eleven compliance areas required by the Agreement. With diligence and hard work, the PRPB reached specific milestones in the areas of planning, policy making, training, and community engagement. In prior reports, we have enumerated the most significant achievements. In this matter, the PRPB and the TCA are in full agreement.

During this reporting period from April 1, through October 8, 2018, there were nonetheless specific steps where progress was limited, partial, or non-existent such as the recruitment of new officers and their training under a new class of the Police Academy, the handling of administrative complaints, the implementation of the EIS, or the timely upgrading of much required IT infrastructure. The PRPB is for the most part non-compliant with a broader definition of the idea of capacity building, implementation in practice. Besides policy and training, capacity building includes key data collecting and reporting objectives as well as implementation objectives defined in the Action Plans. There are areas such as Professionalization, Supervision and Management, Administrative Complaints, and Information Systems and Technology where the PRPB is non-compliant in key steps and is far from making satisfactory progress towards the implementation of the Agreement.

<sup>24</sup> See Paragraphs 229 (Review of Policies and Programs) and 235-240 (Development of Action Plans)

<sup>25</sup> See Paragraphs 250, 252

<sup>26</sup> Paragraph 225.

Following the structure set forth in Paragraph 250, this Report consists of four major sections (and four appendixes). In the first section, the Report briefly discusses the PRPB's Status Report. The current Status Report is a significant improvement when compared to past reports.

Consistent with Paragraph 250(a), Section I also discusses the main highlights of the work conducted by the TCA in the last six months, from April 1, 2018 to October 7, 2018. This section focuses on the work of the TCA in providing assessment and technical assistance to the PRPB, including the work of reviewing policies and trainings as well as the assessment reports in the aftermath of Hurricane Maria.

In its second section, Section II, the Report focuses on the work of the PRPB in implementing Action Plans for the eleven (11) substantive areas of the Agreement and in complying with Paragraphs 234 through 238 of the Agreement from June through March. This part of the Report complies with Paragraphs 250(b) and 250(c). For this Report, tables detailing activities and steps taken by the PRPB in accordance with the submitted Action Plans along with ratings on the progress made towards implementation are included in Appendix 4.

In the third section, Section III, as required by Paragraph 250(d), the TCA assesses and make recommendations regarding necessary steps to achieve compliance for any detailed activities or steps that were preliminary reviewed and found not to have been fully or partly implemented in practice. The purpose of this section is to identify issues that require further attention and/or may have a negative impact on the implementation of the Agreement. The list of topics is detailed in the table of contents. Given that this is the last report under the capacity building phase, the recommendations are geared towards compliance with the Agreement.

The final section, Section IV, as required by Paragraph 250(e), includes a projection of the work to be completed during the upcoming reporting period. This section reflects the TCA's vision of intended reviews of the PRPB operations, including steps and activities taken towards building capacity. These plans highlight the areas of the Agreement that the TCA and/or the Court has identified as current top priorities. This section includes a brief discussion of the monitoring plan and methodology and the agreed upon roadmap between the Parties and the Monitor.

The purpose of this Report is to describe the progress made by the PRPB in the 52 months of capacity building. It seeks to assess and report where the PRPB is after the completion capacity building phase, with the exception of the 33 requested exemptions. It also seeks to report on how the PRPB is set to achieve effective compliance with the Agreement.

## Section I

### The PRPB Status Report

On September 24, 2018, the PRPB submitted its Status Report to the United States and the TCA in Spanish. On September 28, 2018, the PRPB submitted its Status Report to the Court in English.<sup>27</sup> Under the Agreement, the PRPB is to file with the Court, with copies to the TCA and to the United States Department of Justice (“USDOJ”), a Status Report (“Status Report”) assessing progress for each of the eleven (11) focus areas, steps towards implementation of the Agreement, and a response to prior concerns raised by the TCA.<sup>28</sup> The purpose of the Status Report was to document the overall progress made by the PRPB for the period ending on September 2018. Overall, this is an excellent and very informative Status Report.

In Section II of the Status Report, the Commonwealth provides a response to the concerns raised in the Seventh (interim) Report of the TCA covering the period from

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<sup>27</sup> For the Status Report, see: Case 3-12-cv-02039-GAG. Docket No. 958 (Filed 09/28/2018). “In the seventh biannual report (provisional) issued by the TCA, which includes the period from June 10 to December 9, 2017, the TCA informed the PRPB of some deficiencies identified during that period of time, in the Agreement implementation process, Action Plans activities, and the policies approved by the PRPB.” (Page 2)

<sup>28</sup> Paragraph 261 requires that the Commonwealth “file with the Court sealed and unsealed versions of the Status Report, with a copy to the TCA and USDOJ, no later than 15 days before the end of the period under review.” The end of the period under review was October 7, 2018.

June 10, 2017 through December 9, 2017.<sup>29</sup> The Status Report identifies (1) the concerns about a visit made to the Fajardo Police Area / Force Review Board (FRB); (2) concerns regarding the Operation and Training related to the CAD System; (3) the visit of the TCA to the Utuado Police Area and its Zone of Excellence; (4) the TCA Visit to the Quebradillas Zone of Excellence and (5) the Notification of the TCA to the Fajardo Police Area for not having a written contingency plan to work with disasters such as earthquakes, plane crashes or hurricanes.

The TCA appreciates the Commonwealth addressing these concerns stemming from the team's field visits in the months before and after the Hurricane. However, the TCA has two concerns. First, there is no reference to the concerns raised in the final Seventh Six-Month Report covering the period from June 10, 2017 through March 31, 2018.<sup>30</sup> One presumes that the Commonwealth does not address these concerns because it issued and filed with the Court a response to the TCA Seventh Six-Month Report. However, this is unclear since there is no reference in the Status Report to either the TCA Seventh Report or the Commonwealth's Response.<sup>31</sup> Second, there are other concerns that the TCA raised in his interim and final Reports that are not addressed in the Report. It remains unclear whether the Commonwealth will address them eventually.

The most problematic statement of the Status Report is found in page 7. The Status Report notes the following:

"The Action Plans contemplated five hundred and sixty-eight (568) activities to be carried out. Of these, an extension has been requested for thirty-three (33) activities, which represents six percent (6%) of the total of the activities included in the eleven (11) Action Plans.

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<sup>29</sup> For the Seventh (Interim) Six-Month Report, see: Case 3-12-cv-02039-GAG. Docket No. 723-1 (Filed 01/26/2018)

<sup>30</sup> For the Seventh Six-Month Report, see: Case 3-12-cv-02039-GAG. Docket No. 871-1 and 871-2 (Filed 06/6/2018)

<sup>31</sup> For the Response to the Seventh Six-Month Report, see: Case 3-12-cv-02039-GAG. Docket No. 911 (Filed 07/13/2018)



Of the total of the thirty-three (33) activities in which an extension has been requested, twenty-three (23) extended activities are directly related to the passage of hurricanes Irma and María.

These twenty-three (23) activities constitute seventy percent (70%) of the total activities in which extensions were requested. See **Attachment 2** of this Report.”<sup>32</sup>

In a recent interview with news reporter Miguel Rivera Puig of El Vocero, Police Commissioner Henry Escalera made a similar statement:

“Según el jefe policiaco, de las 568 actividades bajo los planes de acción se ha cumplido con 535 y para otras 33 se extendió una prórroga tras el azote de los huracanes Irma y María ocurridos hace más de un año.

According to the police commissioner, of the 568 activities under the action plans 533 have been met and the police is in compliance. For the remaining 33, an extension was requested after the scourge of Hurricanes Irma and Maria occurred over a year ago.”<sup>33</sup>

This way of measuring progress during the capacity building phase is problematic for three reasons. The first one is a matter of agreeing on the computational method. When one reads the document on the extensions (attachments 1 and 2), it is apparent that many of the requested extensions involve multiple activities in the Action Plans. For example, extension number 2 regarding use of force and training affects IV.IV1.8, 1.9, 1.10, and 1.11 with implications for activity 1.1 (h, i, j, and k). In this case, this one extension is related to four detailed steps or activities with implications for another one. Similarly, extension request number 5 is for activity 1.1 of the Recruitment Action Plan the extension will impact (based on the document request signed by the Police Commissioner on August 27, 2018) activities 1.1. in page 100, 1.1 in page 101, 1.2 in

<sup>32</sup> Attachment 1 refers to the “Request for Extension of activities Not Completed in Action Plans.” Attachment 2 calculates the amount and percent of activities in extension.

<sup>33</sup> Miguel Rivera Puig, Confiado en Cumplimiento de la Reforma Policial [ Translation: Police Commissioner Henry Escalera is confident in compliance with Police Reform].” [https://www.elvocero.com/ley-y-orden/confiado-en-cumplimiento-de-la-reforma-policial/article\\_e2082648-ca9c-11e8-8c4b-1bd3ba788570.html](https://www.elvocero.com/ley-y-orden/confiado-en-cumplimiento-de-la-reforma-policial/article_e2082648-ca9c-11e8-8c4b-1bd3ba788570.html)



page 102, 1.3, in page 103 and 2.1 in page 205 of the Action Plans. The analysis also neglects the interrelated character of these activities.<sup>34</sup>

There is a second concern which is far more important. There is a difference between meeting a timeframe and determining whether the Commonwealth of Puerto Rico has made satisfactory progress toward implementation of the Agreement resulting in capacity building.<sup>35</sup> The statements seem to confuse both.

Paragraph 240 states that, during the first four years from the Appointment Date, “the TCA shall evaluate PRPD’s compliance with this Agreement by assessing (...) whether PRPD has met the timeline for each detailed step specified in the Action Plans, and whether PRPD is in full, partial, or noncompliance with the detailed steps.” (the underline is mine) The PRPB’s Status Report and the Police Commissioner’s statement do not seem to differentiate between activities and detailed steps to be implemented and the level of compliance for these detailed steps. It presumes that because an extension was not requested, there has been compliance. This is just not the case. If the intention of the Status Report is to create the perception that 94% of the timelines for each detailed step have been met and that there is full compliance in 94% of the detailed steps, the statements mentioned above are misleading.

Thirdly, the Status Report should be more critical about what areas need further work and what this extension request means. The fact that an extension has been requested for 29% of activities (based on the own PRPB’s numbers) under the Information Systems and Technology Action Plan is extraordinarily important because most of the capacity-building reporting and tracking obligations under the Agreement in the areas of use or force or search and seizure or equal protection have not been met at the end of capacity building and are likely not to be met for another year. Here quality is more important than quantity.

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<sup>34</sup> The PRPB has noted that the number of 33 extension activities represent 50 activities, or 9% of all activities. They argue that they have met the timeframe for 91.2% of the activities noted in the Action Plan and timeframe compliance is significance. It is the opinion of the TCA that this analysis misses both the interconnected character of many activities and the fact that, as noted in our prior reports and this report, the original timeframe was not met for many activities.

<sup>35</sup> See Paragraph 250 for reports the TCA must file, their content and format, during the first four years from the Appointment Date [June 6, 2014].

In past reports and in this Report, my assessment has been quite clear: the PRPB has made progress in policy development, partial progress in training, and there has been partial, very limited, or null capacity building in other areas such as reporting or implementation in practice. There is no reason to imply that there has been a 94% compliance with the Action Plans and, furthermore, to de-contextualize the significance of the requested extensions and their impact in building operational capacity.

The Status Report does a good job identifying both areas of progress and persistent obstacles. The purpose of this review by the TCA is not to generate a particularized rebuttal of the PRPB of the Status Report on a concrete or specific area of compliance. The goal is to raise questions or concerns about the PRPB self-assessment of the progress made towards implementation of the Plans and the Agreement where appropriate.

The Status Report documents the very important work the Reform Unit of the PRPB conducts in terms of self-assessment through monitoring field visits. The Status Report highlights some of the most significant findings made during the evaluation of certain Police Areas. In this sense, the PRPB has adopted the recommendation of the TCA in prior reports that the PRPB uses the Status Report to identify what are the lessons learned from those self-assessment visits. The list of items identifies is very important.

In the Status Report, there is also an extensive analysis of the progress made by the Reform Unit and the Police Academy in the drafting of policies and training modules. The Status Report continues to document a fact that the TCA has noted in prior reports: the evident progress made by the PRPB, led by the Reform Unit, in producing very detailed Plans and policies in accordance with agreed upon timeframes. There are some concerns about specific revisions, but the overall assessment is that the PRPB has reached substantial sustainability to create policies. This is consistent with the TCA assessment that the PRPB has made progress in the implementation of its Action Plans during the capacity building period, and that progress has been observed mainly in the areas of policy development and training. There is little or no doubt that the Reform Unit has become the center of policy development for the PRPB based on the Directive OS 1-1-378 of November 2016. The implementation of this directive has been a success. It is for that reason that we are concerned with any attempt to separate the policy creation process from reform oversight.

Notwithstanding these positive developments, the TCA has expressed serious concerns about the actual implementation in practice of these policies and trainings, and how expeditious this implementation can be in the field. In this sense, measuring overall implementation of these policies and training is difficult when there are relevant delays in terms of the adoption of certain key datasets and measuring effect is so hard without relevant quantitative data.

Regardless of the areas of progress reported above, the Status Report fails to document in greater detail the steps taken by the PRPB in addressing resources, funding, staffing, technology, capacity, and other infrastructure needs which are required to place the PRPB in a position to implement each of the provisions and detailed steps of the Action Plans during the last six months. As we noted in past reports, this analysis is sparse. The TCA is particularly concerned about the fact that the word “budget” is absent from the Status Report when we have identified serious obstacles in this area since the implementation of Act 20 of 2017.

The Status Report continues to advance in the analysis of relevant statistical information. For example, the Status Report does not address the fact that the numbers reported regarding the use of force cases in 2018 continue to appear to be drastically lower than the data reported in 2017, 2016, and 2015.<sup>36</sup> More importantly, there is an analysis or assessment of the key findings stemming from these statistics if the data can be verified in page 15. The main finding is that, when compared to 2015, use of force is significantly down. These numbers are so remarkable that they will be the focus of more detailed analysis and validation in the months to come as the monitoring period starts.

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<sup>36</sup> The Commonwealth has noted that its Use of Force statistics are based on reports received by SARP and not on actual uses of force. Based on the collection and reporting methods, the SARP figures do not reflect the total number of uses of force.

## A Description of the Work Conducted by the TCA: Paragraph 250(a)

During the months of April through September 2018, the TCA conducted site visits of the following Puerto Rico Police Bureau's Districts:

Adjuntas Police District	Hoare Police District
AguasBuenas Police District	Las Marias Police District
Anasco Police District	Naguabo Police District
Camuy Police District	Rio Grande Police District
Cayey Police District	Salinas Police District
Cidra Police District	Utuado Police District
Dorado Police District	Vega Alta Police District
Fajardo Police District	Yabucoa Police Districts
Hatillo Police District	

Purpose of the TCA visits were:

- The TCA reviewed the most recent command completion rates of training involving Use of Baton, Use of Force Policy, Electronic Control Device (Taser), Chemical Agent (Pepper Spray), Arrest and Citations, Ethics, and Dealing with the Transgender population.
- To assess the operational levels of effectiveness and efficiency of the police commands.
- Review training and personnel files of each command to ensure that they were current.
- To further ensure that training recordkeeping of command personnel were up-to-date, as outlined in the Agreement.
- To determine if the commands overall compliance was properly maintaining up-to-date policies and forms relating to use of force for review by command personnel and the public.

- To determine the Command's overall compliance with the Agreement for the Sustainable Reform of the Puerto Rico Police Bureau.
- Inspection of records of meetings held with Community Interaction Councils.
- Determination of the precinct commander's knowledge concerning public information and his or her ability to interact with the public and the community.
- Determination of the precinct commander's knowledge and understanding of community policing and existing programs and its value to the precinct.
- To determine if commands were knowledgeable in the eleven (11) Plans of Action developed by PRPB.
- To evaluate the command's available resources and equipment.
- To evaluate the command's rank structure.
- To evaluate individual agent's knowledge of subjects covered in the Agreement.

In connection with the above, the following areas were reviewed:

#### The Command Structure of the District

The TCA found that many commanding officers had been recently assigned to a district. In one case, an individual had been there only several days. The TCA feels that this is not consistent with best practice and it contributes to a lack of uniformity at the command level and it is unreasonable to expect these individuals to have a good knowledge of their district.<sup>37</sup> The TCA did not review data on Time in Post for district

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<sup>37</sup> The PRPB argues that the PRPB has ample legal authority and managerial discretion to order transfers and refers to a Puerto Rico Supreme Court Decision, *Gracia Ortiz V. Puerto Rico Police*, 140 DPR 247. The TCA has not questioned the legal authority of the PRPB, even as the Commonwealth is also legally bound by the requirements of the Agreement concerning transfers. The TCA has noted that this is not a "best practice" and that, in certain instances, these transfers may have been inconsistent with the demands of the Agreement.

commanders in a systematic way. The TCA will adopt moving forward a more systemic approach to address this issue, including collecting information from HR on Time-in-Post and calculating means and averages.

A review at the sergeant level showed that in many cases, the commanding officer did not have accurate information that clarified how many sergeants were assigned to his or her command. It was found that many of the supervisors in the commands were not available for various reasons, such as other assignments, military leave, in the process of retiring, or utilizing a leave of absence, etc. This led to instances where agents were assigned as supervisors of tours due to lack of a supervisor, something the TCA concludes is not appropriate. In the continental United States, there have been successful lawsuits filed where individuals argue that if they are acting as a supervisor, they should be compensated at a supervisor's salary.

In the case of agents, the TCA found similar circumstances, specifically, relating to agents not available due to the reasons mentioned above.

The lack of necessary and proper supervision is vital to the success of a police agency. PRPB needs to conduct a review of its commands to determine the actual number of supervisors available for duty in each district and make adjustments accordingly, to ensure proper supervision. The recent management study that was conducted in identifying numbers of individuals being assigned to each district should be utilized.

### Tours of Duty

The tours performed by command personnel were consistent, although some commands deviated by one (1) hour.

4:00 a.m. – 12:00 p.m.

12:00 p.m. – 8:00 p.m.

8:00 p.m. – 4:00 a.m.

Commands that utilized motorcycles and/or bike patrol varied the hours of operation depending on the assignment and geographical location. It should be noted that there were no complaints regarding the tours of duty.

### Patrol Vehicles per Tour

Most of the commands visited, reported fielding one to two patrol vehicles per tour along with a supervisor vehicle. This is simply unacceptable for any type of effective preventive patrol. The station of Hoare reported having 61 vehicles, but only one or two were available for service per tour.

### Command Vehicles Fleet

During discussions with the commanding officers of the commands visited and based on visual inspections by the TCA, the Team determined that on the average, approximately 35% of the vehicles assigned to commands were in various stages of disrepair, therefore, not available for patrol. In addition, almost all the vehicles (with the exception of the newer vehicles) were high mileage. In the continental United States, normally a police vehicle is taken out of service after 50,000 to 75,000 miles. Another issue is the type of vehicle that is assigned to the geographical terrain. Several TCA members come from places where there is much snow and are aware that a normal police vehicle cannot operate in this terrain or mountainous areas, without sufficient four-wheel drive vehicles. For example, in Denver, most of the fleet of vehicles are SUVs. Given the age and high mileage of the vehicles and the terrain of some commands, it is understandable that the fleet, as it currently exists, would breakdown, despite PRPB's best effort to maintain their vehicles. Interestingly, almost all of the motorcycles assigned to the commands were operational.

### Communications

#### *Radio Communications*

Almost all the commands visited by the TCA, the TCA reported continuing problems communicating with their personnel in the field. In many instances, the communication with personnel is conducted by personal cell phone or radios purchased by individual officers (to speak to each other). PRPB should engage with the community to problem solve this deficiency. In the United States, many private companies are willing to assist police departments by donating equipment or funds. The communication problem is an

officer safety issue and must be addressed immediately. The lives of PRPB personnel are in jeopardy by lack of communication.<sup>38</sup>

The PRPB is experiencing a serious radio communication problem. This is due in part to the topography of the area covered by the commands, residual effect of Hurricane Maria, inefficient radio frequencies and in some cases the vast distances from the base. The TCA recommends that PRPB revisit this issue with the goal of finding a suitable solution to the problem. A study should be initiated to determine what radio systems: Motorola or Johnson are appropriate. In several of the commands it was reported that studies have been done, but there has been no change in results.

#### *Internet Service*

Most of the commands reported limited internet service, especially in the field.

#### *Landline Telephone Service*

All police districts reported operational landlines in their commands.

#### *Portable Radios*

It is evident based on the TCAs site visits that the shortage of portable radios throughout the PRPB is a major problem, not only communication-wise, but also as it relates to officer safety, as stated above. All commands except Yabucoa, reported single digit radio (portable) inventories. Many commands reported an insufficient number of working batteries for their portable radios. The response by officers in those commands was to purchase their own portable radios. This is unacceptable, not best practices, a police organization must provide its members with sufficient equipment to do their job.

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<sup>38</sup> PRPB's Self Report includes information on the number and assignment of new radios. The TCA will assess this information during the Compliance period.



It is the understanding of the TCA that PRPB has purchased a large amount of new portable radios. The Team recommends that PRPB distribute these radios to field commands and make the carrying of portable radios mandatory by field personnel for safety and accountability reasons.

#### Availability/Access to PRPB Policies/Consent Agreement/PRPB Action Plans

During the TCA's site visits, the Team verified whether commands had hard copies of General Orders relating to Use of Force, as well as hard copies of the Consent Agreement and PRPB Actions Plans for review by command personnel and the public. Most commands had some, if not all, of the above. However, in some instances, the copies of the policies were outdated versions of the General Order. During the August visit, the TCA found copies of a policy that was dated in 2012. Each command should ensure that all policies, procedures and agreements are up-to-date and current. This issue also influences supervision. It is incumbent that all supervisors ensure their agents have up-to-date information and are held accountable. The proposed Virtual Library should help to resolve this issue once this is implemented in June 2019.

#### *Use of Force*

All commands maintain information on use of force by its personnel either in a computerized database or on a spreadsheet, with the exception of two locations (Yabucoa & Hoare).

As it relates to use of force incidents, all commands are required to prepare a "Daily Notification of Incident of Use of Force" form, (PPR-928) for all arrest by its personnel and maintain the form at the desk officer's position. Most commands visited were in compliance with this requirement. However, some commands either did not prepare the forms as required or failed to maintain them in the command.

The TCA recommends that commands also maintain on file copies of forms PPR-928 of specialized units that utilize force in the geographical areas of the command for purposes of having accurate information relating to all use force incidents occurring within the confines of the command.

The TCA has conducted many site visits to precincts/districts throughout the PRPB to evaluate how the commands report, investigate, document and process reports of use of force by its members. A common theme in all of the visits is that the commands have no protocol in place to document compliance with General Order Chapter 600, Section 605, "Report and Investigation of Use of Force" as it relates to verifying that supervisors are completing their investigation of use of force in five (5) days as stated in the policy and in compliance with paragraph 45 of the Consent Agreement. To address this issue, the TCA recommends that PRPB add the following to General Order 600-605:

Precincts/districts in compliance with this policy will utilize a computerized spreadsheet to record the following information relating to use of force incidents, Date Officer completed Use of Force Report (PPR-605.1), Date Supervisor Completed Investigation of Use of Force (PPR-605.1) and Date Director of Precinct/District Reviewed Investigation (PPR-605.1).

### Arrests

Most commands visited by the TCA provided information relating to the FBI Part 1 and Part 2 arrest by personnel of their command with the exception of Hoare, Salinas and Yabucoa. Approximately, 47% of arrests in the commands visited were for Ley 54 (Domestic Violence).

### Questions Asked At Each Command of Individual Agents and Supervisors

The following questions were asked of individual agents and supervisors to determine their level of knowledge concerning the Agreement and Action Plans:

- Tell me about the Reform Agreement and why it is important to the PRPB.
- Explain the four levels of Force (Nivel #1, etc.)
- Why are ethics important to police officers?
- Why is community policing important to the PRPB?
- Why should the PRPB worry about discrimination?
- What can the PRPB do to make your job easier?
- What things can the PRPB do to provide you with better training?

- What training topics are important to you?
- If you were Commissioner what things would you change?
- Do you attend community meetings to learn about the community's problems?
- What are the traits of a good Supervisor
- Explain Stop and Frisk
- How can the PRPB improve
- Explain the Action Plans

## Training

The TCA was encouraged that all the commands visited during this time period had computer spreadsheets, except the Naguabo Police District which identified the percentage of officers trained in use of force and related policies. However, most of the commands had incomplete personnel training records in their files. This is a reoccurring problem found in most precincts/districts visited by the TCA. This is due in part to an apparent disconnect between the PRPB Academy which provides the documentation to the precincts/districts.

The TCA recommends that PRPB have precincts/districts coordinate with the PRPB Police Academy to ensure that all training certification records of its officers are up-to-date. The Team further recommends that the PRPB Academy initiate a protocol whereby supervisors from precincts/districts, with the written authorization of their commanding officer, be allowed to appear at the Academy to receive documentation to update command training records of its personnel. PRPB has agreed to develop a database to resolve this problem.

## Training Completion and Extension Request

The following tables were distributed to use as a guide in determining training completion and extension requests.

UOF-2 Activity 1.15 to develop training on use and management of electronic systems to complete electronic incident reports Discussion regarding other factors that may impact the completion of this training beyond the NIBRS order and manual. PRPB reported that development of training materials is

underway. PRPB to provide a timeframe for the completion of training materials on 5/14.

**UOF-3** Activity 1.2 to train 50% of members in CIT PRPB reported on its work developing training for G.O. 628, which is intended to cover all MPPR and hostage negotiators. Discussion whether this activity meets requirements of Paragraph 56 and the Action Plans. Parties to discuss this activity and extension request during the TCA's May 2018 visit.

**UOF-4** Activity 1.3 to develop training on response to behavioral crisis and mental health for MPPR. This activity was discussed as part of the prior activity regarding CIT. PRPB reported on its work training all MPPR. USDOJ understands that training on G.O. 628 is intended for all MPPR and agrees that it should continue while issues regarding CIT are resolved by the Parties. Parties to discuss this activity and extension request during the TCA's May 2018 visit.

**POL-1** Activity 1.3 revise General Order 100-106 on the creation of the Field Operations Superintendency PRPB reported that G.O. 106 will need to be revised in accordance with new management plans to regionalize PRPB. Discussion regarding staffing plan under Paragraph 13, due on June 30, 2018, which may inform the development of regionalization plans. Based on this explanation, USDOJ agreed with this extension request.

**CMP-1** Activity 4.1 to revise Regulation on drug testing. There is an existing Regulation. PRPB requested a six-month extension because a change in law or modification of the Agreement may be necessary to implement Paragraph 200 concerning testing for steroids. Parties to discuss during the TCA's May 2018 visit.

**CMP-2(a)** Activity 1.1 to develop procedure for public safety statement PRPB explained that procedures for public safety statements are being addressed as part of the Parallel Proceedings (Garrity) Protocol. PRPB requested a six-month extension to complete negotiations on a Memorandum of Understanding with PRDOJ. Based on this explanation, USDOJ agreed with this extension request.

**CMP-2(b)** Activity 1.2 to train 50% of SARP and OAL on administrative investigations PRPB reported that training on administrative investigations for SARP and OAL is under development and awaiting completion of the SARP Manual. PRPB anticipates that it will be able to train 100% (rather than just 50%)

of covered personnel within 12 months. PRPB to send a revised extension request by 5/14.

**CMP-7** Activity 3.1 create training program for officers on reporting misconduct, failing to accept complaints, and providing false information. USDOJ explained that these are discrete topics that could be covered through existing training, rather than through an entirely new and separate training program. PRPB to review whether these topics can be incorporated into existing training programs. Parties to discuss during the TCA's May 2018 visit.

**SUP-3** Activity 1.10 to train 100% of Officers in the Inspections Division on Inspection Procedures PRPB reported that there are approximately 60 officers assigned to the Inspections Division. The original extension request considered the time needed to develop, review, and approve the Inspection Division's Manual. PRPB believes that it can complete training of personnel assigned to the Inspection Division within 6 months. PRPB to revise this extension request projecting an approval date for training materials of January 2019, and training 100% of covered personnel by June 30, 2019. PRPB to send a revised extension request by 5/14.

### Police Academy

In August, the TCA conducted a site visit of the PRPB Academy. Included in the visit was one member of the Reform Team, Sergeant Romero. Also, in attendance were Colonel Orlando Rivera; Ms. Gloria Baquero, President of National University; and Ms. Dolymaria Garcia, Dean of Program Development for National University. The meeting commenced with a PowerPoint presentation by Dolymaria Garcia regarding the new virtual training system, which has been developed by the PRPB Academy staff and National University (see attached PowerPoint). Many members of the PRPB participated in the making of the virtual training courses and their feedback has been instrumental in the development of excellent courses.

During our visit to the Police Academy the TCA observed the course materials on search and Seizure and Use of Force. The materials included learning objectives and goals, videos, scenarios, and an examination at the end of the training. The materials were professionally done and impressed the TCA.

The new virtual training system has proven to be invaluable to the PRPB and is helping the Academy meet their training goals. Several members of the TCA observed areas set aside by the various Districts for virtual training. Comments received from PRPB personnel at the Tuesday and Wednesday site visits were all extremely positive, especially the fact that certification forms can be printed immediately after the course has been completed.

While at the Police Academy the TCA attended a meeting for Crisis Intervention Instructors, Course 628. First responders including members of PRPB, mental health personnel, fire fighters, hospital personnel, and suicide prevention professionals were in attendance. All of the attendees were very enthusiastic about the new Crisis Prevention Training. The TCA provided some input to the group and recommended that a Crisis Intervention Training Manual be established as soon as possible. The training course for General Order 628 is under review for improvements.

### Virtual Training

The PRPB has recently initiated "Virtual Training" in its field commands. The commands visited by the TCA, after the implementation of the program, have dedicated specific areas of the command for the training. It should also be noted upon successful completion of the training a certification is issued and maintained at the command.

The following documents show the completion rate by members of the PRPB in the new Virtual Training courses. Also included in this document is a timeline and proposed schedule of Virtual Training courses.

### Best Practices of Training Academies

The TCA met with Colonel Rivera and reviewed Police Academy Best Practices. The PRPB should ensure that academy training, field training, and continuing education of officers reinforces community-centered values and skills. In the past, the U.S. Department of Justice has funded community-based experts to provide required training to new police recruits and in-service officers on:

- Procedural justice and fairness in policing.

- Implicit bias.
- Institutional bias in enforcement patterns.
- Relationship-based policing and community interaction.
- Crisis intervention, mediation, conflict resolution, and rumor control.
- Appropriate engagement with youth based on the science of adolescent brain development.
- De-escalation and minimizing the use of force in certain common situations, including vehicle pursuits, coping with mentally ill or cognitively disabled individuals, and encounters with youth.
- Increase language proficiency and cultural competency among law enforcement officers to effectively engage and partner with immigrant communities
- Appropriate engagement with LGBTQ, transgender and gender nonconforming community members.
- Documenting, preventing and addressing sexual harassment, abuse and assault by local law enforcement agents.
- These ten subjects have been identified by Academy Directors in the continental United States as being the most important for modern police academies. Director Rivera indicates that all these ten Best Practices subject matters are being currently taught in the PRPD Academy or will be taught in the near future.

## Section II

### PRPB's Action Plans ("Plans"): Paragraph 250(b) and 250(c)

On September 22, 2018, the Court ordered that "the monitoring phase in this case shall commence on October 8, 2018." It further noted that, as advanced by the Court during the August status conference, "no extensions to this date will be allowed (except for those limited matters the parties and TCA agreed upon, and the Court approved)."<sup>39</sup> In this manner, the period of capacity building under the timeframes set forth by the Action Plans ended on October 7, 2018 and the period of compliance and monitoring started on October 8, 2018.

<sup>39</sup> For the court order, see: Case 3-12-cv-02039-GAG. Docket No. 954 (Filed 9/22/2018)



On October 12, 2018, consistent with the Court order in Docket 954, the Parties filed a joint motion to extend the timeframes for certain activities in the Commonwealth's Action Plans.<sup>40</sup> The request for extension included 33 activities or clusters of activities (when an item included multiple activities or a cluster of activities). Although the Court has dismissed the motion without prejudice until the motion is filed with an attachment in English, the Parties have agreed to extend the timeframes and the Court has indicated that it will approve them once this filing deficiency is corrected. The requested activities were included as Attachment A in the Status Report and they are available in English to the Court, the United States, the TCA, and the Public.<sup>41</sup>

In accordance with the Agreement, in 2017, the Commonwealth filed eleven Action Plans with 568 activities designed to implement and achieve compliance with each of the Agreement's substantive provisions.<sup>42</sup> The PRPB had been working with the United States and the TCA on these Action Plans since July 2014. The Action Plans included timeframes for completing and implementing each activity, pursuant to Paragraph 235 of the Agreement. These activities were to be completed by the end of the four-year capacity-building period on October 7, 2018. The capacity-building period was scheduled originally to expire on June 7, 2018, four years after the appointment of TCA. For good cause, the TCA agreed to extend the capacity building period by four months to October 7, 2018, at the Commonwealth's request and with the authority conferred by Paragraph 239 of the Agreement.<sup>43</sup>

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<sup>40</sup> For the extension request, see: Case 3-12-cv-02039-GAG. Docket No. 978 (Filed 10/12/2018)

<sup>41</sup> For the PRPB Status Report, see: Case 3-12-cv-02039-GAG. Docket No. 958 (Filed 09/28/2018).

<sup>42</sup> For the Action Plans, see: Case 3-12-cv-02039-GAG. Docket No. 550 (Filed 04/30/2017).

<sup>43</sup> "Paragraph 239. Should PRPD need to modify any of the timeframes set forth in the Action Plans, PRPD shall explain to the TCA, in writing, why such modification is necessary. For good cause, which may include budgetary or funding limitations, the TCA may extend any timeframe by up to four months. However, the TCA shall not extend the initial timeframe by more than four months without the approval of DOJ. DOJ shall not unreasonably withhold approval. Any modification to an Action Plan, including extensions approved by the TCA and DOJ, shall be filed with the Court for approval. Extensions submitted to the court shall be effective, absent further action from the Court, 30 days after submission to the court. Disputes on approval for extensions may be submitted to the Court for resolution. The Parties agree that should PRPD need to extend the time for completing an Action Plan beyond the time frame originally."



In a joint motion, the Parties agreed to make a request for 21 extensions involving multiple activities in March 2018 after the Court instructed the Parties and the TCA to “revise existing deadlines and agree to realistic ones,” as part of its Order Regarding Aftermath of Hurricane Maria.<sup>44</sup> The Parties then requested that the Court hold its consideration of these requested 21 extensions until the Commonwealth determined whether additional extensions in other areas were necessary.<sup>45</sup> Following negotiations that lasted months, the Parties agreed that the Commonwealth’s request for twelve additional extensions were necessary under Paragraph 239 of the Agreement. For good cause, the Commonwealth argued that these delays were used to funding limitations and operational constraints. The TCA submits that there were other reasons for the delay as reported in prior six-month reports. There was one area where agreement was not possible, and no extension was requested.

Once approved by the Court, the TCA is to consider these 33 extensions when assessing the Commonwealth’s compliance with the Agreement under Paragraph 242 after the capacity-building ended on October 7, 2018.<sup>46</sup> In their joint submission to the Court, the Parties did not anticipate that extending the timeframe for the 33 activities or cluster of activities at issue will alter their original estimate of achieving full and effective compliance with the Agreement within ten years, as set forth in Paragraph 300.<sup>47</sup> As the Parties have indicated, the ten year framework was a good faith estimate. However, the TCA is less than confident that this estimate will not be impacted.

It was just in 2017, three years after the appointment of the TCA, that the Commonwealth submitted these Plans to the Court as addenda to the Agreement. All

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<sup>44</sup> For the Status Report, see: Case 3-12-cv-02039-GAG. Docket No. 624 (Filed 10/04/2018).

<sup>45</sup> For the Status Report, see: Case 3-12-cv-02039-GAG. Docket No. 775.

<sup>46</sup> “Paragraph 242. Four years after the Appointment Date and in accordance with the provisions of the approved Action Plans, the TCA shall begin to regularly conduct compliance reviews to assess PRPD’s compliance with each of the Agreement provisions in Sections III through XIII. The TCA shall assess and report whether PRPD has, for each Agreement requirement: (a) incorporated the requirement into an implemented policy; (b) trained all relevant personnel in the requirement and policy; and (c) fully implemented in practice. These compliance reviews shall contain both quantitative elements as necessary for reliability and comprehensiveness.”

<sup>47</sup> “Paragraph 300. Ten years after the Effective Date, either Party may seek to terminate this Agreement.”

eleven Plans were in full effect since June 2017. With the submission to the Court, the Parties treated the Plans as fully incorporated, enforceable terms of this Agreement. As set forth in the Agreement, since June 2014, the Parties and the TCA worked together and identified appropriate activities and steps to be taken to build capacity and enhance each of the following substantive areas of compliance: (1) Professionalization; (2) Use of Force; (3) Searches and Seizures; (4) Equal Protection and Non-Discrimination; (5) Recruitment, Selection, and Hiring; (6) Policies and Procedures; (7) Training; (8) Supervision and Management; (9) Civilian Complaints, Internal Investigations, and Discipline; (10) Community Engagement and Public Information; and (11) Information Systems and Technology.

To carry out these capacity building reforms, the PRPB began to develop specific, tailored made Action Plans for each of these substantive areas. These Plans contained temporal benchmarks and set forth in detail the steps agreed upon to execute and implement the reforms and achieve the desired outcomes in each area within generally accepted professional standards. These steps and reforms required the implementation of policies, practices, training, documentation, internal review, technological improvements, and oversight. The Plans described temporal benchmarks and detailed activities and steps agreed upon to execute and implement the required reforms and to achieve the desired outcomes in each substantive area. Paragraphs 231 through 240 discussed in detail their development, implementation, and assessment. The Plans were to examine policies and any required revisions, mandatory training, resources, staffing, budgetary requirements, and a schedule for when specific policies are to become field operational.

Consistent with Paragraph 234, the PRPB, with assistance from the Reform Unit, drafted the Plans that set forth the detailed steps the PRPB was to take to implement and achieve compliance with each of the Agreement's provisions in Sections III through XIII of the Agreement. Under Paragraph 236, the TCA and USDOJ reviewed these Plans to ensure that they specified actions necessary to comply with all applicable substantive provisions of the Agreement and that timelines, implementation strategies, budgetary allocations and funding sources are reasonable, achievable, and prioritized to promote efficiency. In November 2016, the TCA and the USDOJ staff completed their review of all these Plans. The eleven Plans were approved as drafted. They were drafted in Spanish. Pursuant to Paragraph 238, the Plans were translated into English and were submitted to the Court. After months of additional review by the Parties and the TCA, the PRPB completed the translation of the Action Plans on May 31, 2017.

In 2016 and in 2017, the TCA recommended that the Parties renegotiate an extension of the capacity building period of, at least, one additional year. This recommendation was rooted on the fact that it took more than three years of cooperative work between the Parties and the TCA to complete the eleven Action Plans for all compliance areas and that there were unanticipated delays in some areas of the Agreement. In May 2017, the PRPB submitted a request for an extension of only four months of the capacity building period based on Paragraph 239 of the Agreement. Pursuant to his authority the TCA extended the capacity-building period by four months. In June 2017, The TCA granted the requested four-month extension based on the TCA's authority under Paragraph 239.<sup>48</sup> After carefully reviewing the PRPB proposal, the TCA agreed that the request was in good cause. However, the cautioned the Commonwealth that the implementation of Act 20-2017 was likely to create unintended disruption and additional delays which should be quickly identified to prevent further delays. The TCA never received confirmation that the PRPB adopted my recommendation and that potential obstacles for compliance related to the implementation of Act 20-2017 were promptly acknowledged.

The TCA submits that the PRPB has requested extensions in all areas in which in past reports the TCA identified substantial lack of progress back in 2017. In the last TCA Seventh Six-Month Report, the Report's assessment was that the PRPB was not going to be able to meet the original four-year capacity-building timeframe (including the TCA granted four-month extension) set forth in the Agreement and the Action Plans. This is the case still today.

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<sup>48</sup> Under Paragraph 239, "[S]hould PRPB need to modify any of the timeframes set forth in the Action Plans, PRPB shall explain to the TCA, in writing, why such modification is necessary. For good cause, which may include budgetary or funding limitations, the TCA may extend any timeframe by up to four months. However, the TCA shall not extend the initial timeframe by more than four months without the approval of DOJ. DOJ shall not unreasonably withhold approval. Any modification to an Action Plan, including extensions approved by the TCA and DOJ, shall be filed with the Court for approval. Extensions submitted to the court shall be effective, absent further action from the Court, 30 days after submission to the court. Disputes on approval for extensions may be submitted to the Court for resolution. The Parties agree that should PRPB need to extend the time for completing an Action Plan beyond the time frame originally contemplated in the approved Action Plan for operational or budgetary reasons, such an extension shall be permitted upon agreement of the Parties and the TCA or upon leave of Court."

To make this determination, the TCA has reviewed and has assessed whether the PRPB has met the timeline for each detailed step specified in the Agreement and the Action Plans. Although the timeline has been met in certain detailed steps, particularly steps concerning the production of policies and training materials, there are important detailed steps - including policy drafting and training steps - for which the Commonwealth has requested additional time extensions because it has not been or will not be able to meet the agreed upon milestones. In reviewing the reasons for these delays, my assessment shows that Hurricanes Irma and Maria are neither the sole nor the main explanation for the Commonwealth not meeting the agreed upon timeframes. Other reasons account for these delays including the implementation of the Department of Public Safety ("DPS"), the lack of leadership, and the current situation of organizational instability with a Police Department that does not have enough officers to provide the required services.

In past reports, the TCA noted that the most significant current PRPB failures in meeting the timelines set forth in the Information Systems and Technology, Supervision and Management, Community Engagement and Public Information, and the Professionalization Action Plans. With regards to the interruptions in the implementation of the Professionalization Action Plan, I emphasized in past reports the reason for delays affecting Paragraph 13 (the Staffing Allocation and Resource Study ["The Staffing Study"]). The TCA also identified how the leadership crisis caused by the implementation of Act 20-2017 and leading to the January 2018 separation of Police Commissioner Dr. Michelle Fraley along with the subsequent re-organization of the PRPB's top leadership, resulted in additional delays.

It is the TCA's current assessment that there has been partial or very limited progress in meeting required deadlines from October 2017 to the end of this reporting period October 7, 2018.

Beyond meeting deadlines, the Report is to assess from a substantive point of view whether the Commonwealth of Puerto Rico is making satisfactory progress towards the implementation of the Agreement. The TCA's overall assessment is one of partial compliance with unsatisfactory progress made in key compliance areas. The PRPB is for the most part in full or partial compliance in meeting policy and procedure development as well training development steps in the Action Plans. However, as detailed in the Tables in Attachment 4, the Commonwealth is in partial or non-compliance in key data collecting and reporting objectives as well as implementation objectives defined in the Action Plans. Furthermore, there are areas such as

Professionalization, Supervision and Management, Administrative Complaints, and Information Systems and Technology where the PRPB is non-compliant in key steps and is far from making satisfactory progress towards the implementation of the Agreement.

To make this determination, the TCA has assessed whether the PRPB has made satisfactory progress in each detailed step specified in the Action Plans. While the PRPB has either fully complied or partly complied with many policy and training development steps that were crucial in the first three years of the Agreement, although the TCA is seeing that certain policy revisions are not being attended to, there are very important, significant detailed steps scheduled for the four year of the Agreement for which the Commonwealth has not made satisfactory progress and has been rated non-compliant.

Although a detailed analysis of each step is to be found on the body of the Report and the appendix with the specific tables, the TCA would like to address in greater detail here my overall assessment of partial compliance with unsatisfactory progress made in certain key compliance areas. This rating is consistent with my previous assessment and with a simple review of the areas for which the Commonwealth has requested extensions.<sup>49</sup>

Here the TCA highlights that the first challenge to the successful implementation of the Agreement is to undertake real, effective capacity-building in the compliance area of Information Systems and Technology and in the PRPB's analytical and reporting capacity. It is now quite apparent that the less than substantial progress made in the 52 months in terms of creating a reliable data gathering/reporting and IT infrastructure for the PRPB has affected the operational and tactical response of the PRPB in the provision of basic policing services.

The second documented challenge is the actual progress in implementing a robust and solid strategic staffing work plan as required under Paragraph 13 of the Agreement.<sup>50</sup>

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<sup>49</sup> See: Docket No. 624.

<sup>50</sup> See Paragraph 13. "PRPB shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPB shall conduct a staffing allocation and resource study. The study shall form the basis for a staffing and

This is still the case today, even as the study is completed as of April 2018 and the staffing plan was also completed in October.<sup>51</sup> During this reporting period from April 2018 through October 2018, as in the past, my assessment is that it is blatantly apparent that the lack of a consistent staffing approach for more than two years has continued to limit the PRPB operationally and strategically. This is evident when the current staffing is 11% below the baselined level in the study and approximately 38% below the roster in 2013 when the Agreement was signed.<sup>52</sup> To the problems of the past (e.g., compensation, overtime, increased sick leave, impermissible protest by officers), one must add the persistent and constant loss of officers accentuating the current staffing deficit.<sup>53</sup> Every month it goes by without a new class of recruits, the gap between the desired level and the actual levels widens. It is for this reason that the TCA has been calling for the setting of a new police class for more than two years to happen immediately. The order of Judge Gelpi on October 19, 2018 is consistent with these concerns raised.<sup>54</sup>

There are also other challenges and recommendations, such as the need to reinvigorate community outreach or the demands for an immediate strengthening of civil rights and civil liberties protections when conducting police operations that I also identify as areas for urgent action.

For example, in recent months, the TCA has evaluated compliance with both the equal protection Action Plan and the internal disciplinary process. The main finding is that a

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resource allocation plan that is consistent with community-oriented policing principles and supports the systematic use of partnerships and problem-solving techniques. To foster community-oriented policing, the plan shall consider deployment practices that offer officers opportunities to serve the communities in which they reside.”

<sup>51</sup> The study was completed in April 2018. The findings of the study were presented before the Court during a public hearing scheduled for May 16, 2018. The Staffing Plan

<sup>52</sup> In 2007, there were 18,262 police officers in Puerto Rico. In 2011, at the time the United States completed its investigations, there were approximately 17,000 (See Docket No. 1). In March 2018, there were 10,511 active police officers.

<sup>53</sup> See: Docket No. 203. TCA, First Six-Month Report (June 6, 2014 – December 6, 2016. Submitted to the Court: February 9, 2015. Page 7).

<sup>54</sup> See. Docket No. 989.



system for investigating and addressing administrative complaints, in particular complaints of equal protection and non-discrimination, continues to lag far behind where it must be. The PRPB's capture and use of officer performance data in order to build an effective Early Intervention System ("EIS") to guide it in the delivery of services, supervision and professional development of officers, and risk management also requires significant attention from the top leadership over the coming months. The proposed policy by the PRPB has been deficient for months. This involves compliance with Paragraphs 147 through 153 which are an essential part of the Supervision and Management Action Plan. Similarly, even as the PRPB made limited strides in implementing necessary technological platforms, the Agreement-required Information Technology and Systems Action Plan demands that the PRPB puts in place promptly systems and processes that ensure that the PRPB is up to date in technological investments. Similarly, much work remains on bringing about significant operational and technological changes to the performance evaluation systems as well as the investigative and disciplinary processes affecting the PRPB personnel. The PRPB must improve immediately their processes for investigating and reviewing use of force, investigating officer misconduct, supervising problem-prone officers, managing personnel resources, and imposing discipline if they want to have credibility both before the public and their employees. Finally, there is an increasing backlog of administrative complaints that raises concerns about the expediency of the progress made in past years.

There are other issues that have emerged in my assessment of the PRPB activities in 2018. In recent months, I have conducted a thorough assessment of the infrastructure and budgetary needs required "to place the PRPB in a position to implement" each of the Agreement's provisions within four years from my appointment date and in accordance with the implementation schedules set forth in the Action Plans.<sup>55</sup> The budget picture is highly problematic. My assessment is straightforward on this issue: the administrative hurdles created by the implementation of Act 20-2017 have just accentuated structural deficiencies identified in the past regarding the budgetary autonomy of the PRPB. In my assessment, these budgetary obstacles are preventing the PRPB from making satisfactory progress toward implementation of the Agreement and the Action Plans.

Finally, this Report continues the tabular format when measuring compliance with the Agreement and Action Plans. The Report consists of tables that describe what the

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<sup>55</sup> See Paragraph 237.

PRPB said they would accomplish and the TCA's reviews and observations assessing whether the PRPB achieved or failed to achieve what they claimed in the Action Plans. There is a short methodological note that defines with precision findings, assessment, and ratings. After more than five years since the signing of the Agreement, it is certainly useful to present a paragraph-by-paragraph accounting of the general state of the PRPB's compliance with the specific requirements of the Agreement. Although this approach runs the risk of being an over-simplification, there is a solid qualitative assessment regarding compliance in the body of the Report.

The Report uses the following rating structure and color code:

**Non-Compliance.** [RED] The PRPB has not yet complied with the relevant provision of the Action Plan. This includes instances in which the PRPB's work or efforts have begun but cannot yet be certified by the TCA Team as compliant with a material component of the Action Plan requirement.

**Partial Compliance.** [YELLOW] The PRPB has made sufficient initial strides or sufficient partial progress toward compliance toward a material number of key components of the step of the Action Plan – but has not achieved real, effective operational compliance. This includes instances where policies, processes, protocols, trainings, systems, or the like exist on paper but do not exist or function in day to-day practice. It may capture a wide range of compliance states or performance, from the PRPB having taken only very limited steps toward operational compliance to being nearly in full compliance. It also includes situations where the PRPB has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

**Full Compliance.** [GREEN] The PRPB has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across time, cases, and/or incidents. This includes instances where it can be shown that the PRPB has effectively complied with a requirement fully and systemically.



**Evaluation Deferred.** [BLUE] This category reflects those limited instances where work in a given area has been intentionally and affirmatively deferred in order to work on other, necessary prerequisites. In these areas, the PRPB could have made more progress in a given area but, for project management, budgetary, or operational reasons, have appropriately focused attention on other areas.

In considering this classification scheme, readers of this report should keep some important things in mind. First, a designation of “Partial Compliance” does not necessarily or in itself mean that the lack of progress is something that the TCA finds problematic under the circumstances. In some instances, it does. But there are many instances where partial compliance includes situations where the PRPB has made notable progress to technically comply with the requirement of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Second, the Monitoring Team’s conception of “partial compliance” requires more than the PRPB simply taking some limited or initial steps toward adhering to a specific step of an Action Plan or an Agreement requirement. That is, a “partial compliance” determination is not used simply because some small amount of work has been conducted. Instead, “non-compliance” becomes “partial compliance” when the PRPB has made sufficient material progress toward compliance – suggesting that the PRPB has graduated from the stages of initial work to more well-developed and advanced refinement or various reforms.

Third, the compliance that this report discusses is with respect to compliance with the various, specific provisions of the Action Plans – and not with respect to the “Full and Effective Compliance” with the whole of the Agreement which is defined in Paragraphs 10 (bb), 294 and 301.<sup>56</sup> Such “Full and Effective Compliance” will be reached when the PRPB has reached “sustained compliance with all requirements of this Agreement, or sustained and continuing improvement in constitutional policing, as demonstrated pursuant to the Agreement’s outcome measure.”

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<sup>56</sup> Paragraph 11, bb, defines Full and Effective Compliance. “Full and Effective Compliance means sustained compliance with all substantive provisions of this Agreement and sustained and continuing improvement in PRPB policing. The substantive provisions of this Agreement are all provisions contained in Sections III through XIII.”

During this last period of capacity building, the PRPB has demonstrated that they still have a substantial distance to travel to comply with all of the Action Plans' steps. There is no way for the PRPB to meet the preponderance of the evidence standard to reach full compliance with all the activities and detailed steps set forth in the Action Plans. We enter the phase of compliance with severe limitations.

The various tables in Appendix4 involve intentionally condensed summaries of the requirements in each paragraph. For the sake of space and clarity, we do not reprint the entire Action Plans and/or Agreement in the document. Any imprecision detected by these condensed or summarized requirements is unintended and, in any event, can be cured with reference to the original Agreement and Action Plans language themselves. This is the reason why we have added the Paragraphs and activities in the tables.

Further, the TCA Team bases its assessments on its current understandings, knowledge, and information gained through ongoing field work document reviewing, data gathering, and discussing with PRPB, the Parties, and other stakeholders. During this capacity building phase, the assessments are often less formal to the extent that not all of them are necessarily informed by the type of exhaustive quantitative compliance and outcome measurements that are a critical component of the Agreement under Paragraphs 242 and 243. In this sense, it is important to understand that the summary determinations here do not take the place of these more structured, systemic analyses. Ongoing, rigorous quantitative assessments will provide a more comprehensive picture during the compliance phase as work under the Agreement proceeds. However, this task is just impossible at present given the data gathering limitations of the PRPB.

The terms adopted here – including Non-Compliance, Partial, and Full Compliance – are terms that appear in the Agreement. Categorizing the state of compliance with the steps of the Action Plans and the Agreement requirements by using these terms is a method that the TCA has internalized to explain and discuss the substantive work and progress that the PRPB has made in a systematic, straightforward way. This is not unique. The rating approach is similar to the methodological approach used by police monitors in Cleveland, Albuquerque, Cincinnati, Detroit, East Haven, Los Angeles, New Orleans, and others, as well as consent decrees in non-police contexts.

## Section III

### Current and Anticipated Challenges in the Implementation of the Agreement and the Plans: Paragraph 205(d)

In this part of the Report, the TCA examines three relevant detailed issues involving capacity building that were reviewed and found not to have been, fully or, partially implemented in practice during this reporting period. It also discusses, when appropriate, the TCA's recommendations regarding necessary steps to achieve compliance.

#### Building Information Systems and Technology ("IT") Capacity in the aftermath of Irma and Maria

In the aftermath of Irma and Maria, one of the most significant capacity-building challenges for the PRPB is to undertake real, effective capacity-building in the compliance area of Information Systems and Technology. The below synopsis of observations summarizes PRPB's Information Technology transformation activities for the reporting period April through October 2018.

During this span, the TCA's subject matter expert on IT conducted multiple on-site visits were conducted for the purpose of evaluating PRPB IT Transformation. Of note during this time, significant attention was paid to PRPB's Kronos development and selection of an industry project management expert for Kronos in accordance with Judge Gelpi's orders following a July 2018 hearing.

PRPB continues to make progress but it must be acknowledged that, as the Capacity Building phase comes to a close, the PRPB is not yet ready in many areas. PRPB is questionably able to fully comply with this Compliance Area. It is unclear whether the requested extension will fundamentally change that assessment. Further, the PRPB

leadership's inability or unwillingness to properly resource the Bureau of Technology with IT subject matter experts and project management experts continues to be a detriment to the effective transformation progress. (On September 24, 2018, the PRPB signed the contract for the Project management Office Service, which was long overdue).

The May on-site assessment for IT was intentionally focused on Kronos development status, specifically on the Overtime Module given the PRPB's lack of compliance with the Overtime Consent Decree.<sup>57</sup> Following the cursory assessment of time and attendance (T&A) processes and IT equipment done between January 22 and 25, 2018, interviews were conducted with PRPB's HR, Bureau of Technology and Reform staff, IT support staff at the Commandancia of Guayama, and with the HR contactor (Interboro) performing the IT development.

A summary of observations included that unfortunately at that time as result of the hurricanes and damage to fiber networks Kronos was not 100% available to PRPB staff. And when functioning, total hours worked were recorded and used to calculate "regular" attendance hours for the purpose of computing base pay. But PRPB was still unable to use Kronos to reconcile overtime hours in excess of regular hours and manual processes were needed to override Kronos calculations. This situation also necessitated manual use of hard copy Form PPR-432 to record, approve and submit overtime hours worked. This condition is inefficient and cumbersome, is not timely and deviates from what should be a computer or other enabled devices ability to keep track of "end to end" timekeeping. Complicating factors that remained included: network disconnects due to the hurricanes, de-coupled training from the development schedule of Kronos, failure of supervision to adequately ensure that time keeping procedures were followed and incomplete training.

Recommendations included; Completing the ongoing PPR-432 development phase to digitally replace form PPR-432, performing testing, suspending further development, gathering lessons learned, preparing an Analysis of Alternatives (AOA) and rough order magnitude resourcing estimates, developing the step 2 alternatives into a comprehensive project plan incorporating lessons learned from prior experiences with Kronos, implementing the project plan option to re-design T&A processes for staff and supervision and operationalizing the future state "Cloud" solution for delivery of T&A.

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<sup>57</sup> Consent Judgment; Case 3:16-cv-02849-CCC Document 4-1, Filed 10/19/16

In July a second onsite assessment was conducted to again review Kronos and testify before Judge Gelpi regarding Kronos development. Also, to assess the forty-six IT Action Plan items and capacity building progress in light of the nearing monitoring phase. Of concern, continuing dialog with PRPB regarding Kronos, General Orders and manuals revealed incompleteness of life cycle and logistical elements needed for operationalization such as training materials. And although commendable that PRPB continues to make progress against the Action Plan following the hurricanes, only fully completed IT systems/applications with integrated training and implemented outcomes will demonstrate success. They are not in place to date.

On Wednesday the 18<sup>th</sup> of July, the TCA and his subject matter expert on IT provided testimony to the Court and the Parties. Beginning with the origination of the requirement for past inspection culminating with the continuous assessment, the TCA concluded that:

- Opinions and statement expressed in the January assessment remained pertinent.
- Although staff work diligently toward success, the Kronos project was inadequately staffed and the number of SME's available to PRPB and to overall IT management were insufficient.
- Because Kronos is widely in use today it is hard to grasp why PRPD has struggled to implement only some of the features.
- While it is common to place blame at the project and Bureau level regarding progress, the fact is that the PRPB management and leadership must be held accountable for the success or failure of a critical system such as Kronos and that these shortcomings are assignable to the lack of resources, prioritization, and the like.

During other visits, the emphasis was placed on follow through with Judge Gelpi's orders that PRPB should hire a subject matter expert for program management support of the Kronos development. Two interviews were conducted, and a candidate was selected to be contracted with. The candidate was to be hired expeditiously and added to the project management team to implement the Overtime feature of Kronos. Until September it was unclear whether the PRPB had executed a contract to hire the selectee. (The contract was signed on September 18, 2018).

During this period, a meeting was held with Puerto Rico Emergency Management Agency (PREMA) to understand their recovery efforts in Puerto Rico in regard to emergency communications restoral and to contrast them with PRPB's post Maria efforts. It is PREMA's contention that the PRPB is resisting efforts to effectively coordinate, incorporate or integrate with other agencies to the detriment of PRPB. It is also their view that the PRPB staff are inadequately experienced in communications and technology vision and implementation to effectively plan and exploit FEMA and PREMA strategy and goals. An example of this can be seen in lack of any PRPB integration of CAD systems with PREMA and municipalities. PREMA states that their efforts are dedicated to fullest integration of daily and emergency communications in various modalities as well as CAD to ensure interoperability to the fullest extent across the island.

PREMA also brought into question the current PRPB management and hosting of the Fusion Center. PREMA's perspective is that the Fusion Centers fullest and most effective use is as a coordination and intelligence center, and tool for the governor, deployed at the lowest level of policing and intelligence gathering. This is in contrast to what PREMA suggested as PRPB using the Fusion Center exclusively as a PRPB tool and failing to fully exploit and integrate information and effectively "flying blind."

The objectives during this site visit were to participate in a TCA led meeting regarding the monitoring methodology, to also meet with the PRPB CIO and Angel Diaz from the Reform Unit, and to confirm that the PRPB had in fact hired a project manager for Kronos development.

In summary, the PRPB and the PRPB's CIO continue to make progress. But there is no overwhelming indication that either is definitively in control of progress, the resources required are in place, or the pace of development ultimately needed to execute a project within parameters scoped or on time. An example of this is the plan for IT pilot implementation of CAD Mobile targeted for August of 2017. Although initiated in the field, CAD implementation as of summer 2018 remained incomplete as training from SAEA was reported as not yet completed. And although training is not "operational", any use of CAD/Mobile could be challenged as inconsistent and therefore use of CAD in any phase of implementation is ambiguous and un-certifiable. In closing, it is critical to appreciate that development, implementation and use of any IT system is only as effective as holistic integration of those tools with the flow of work processes.

From a strategic vantage point, the PRPB should consider the potential opportunity of a major “step function” or phased modernization of the IT infrastructure. The potential success of wholesale change and re-engineering may never be more opportune than at the present when much of the infrastructure is a candidate for replacement rather than repair.

### **Building HR/Staffing Capacity: The Staffing Allocation and Resource Study (Paragraph 13)**

The second area where the PRPB continues to face a significant strategic and operational challenge is the lack of development and progress in creating an implementable staffing strategy based on the findings of the staffing study and the conclusions of the staffing work plan as required under Paragraph 13 of the Agreement.

Both the study and the work plan have finally been submitted during this reporting period. However, the findings are devastating and confirmed why this study was needed in 2016. The most important fact is that, compared to the staffing situation in 2013 and 2014, there is a deficit of near 1,200 officers to meet the workload demands. In addition, there is evidence that more than 2,000 officers could be better utilized with proper civilianization of certain police operations. In the aftermath of Irma and Maria, it is apparent that the lack of a consistent staffing approach has limited the PRPB operationally and strategically. The staffing levels are extraordinarily low. The effects of an inconsistent staffing approach can be felt in all operations.

Under the Agreement, the substantive area of Professionalization has three key objectives and three main interrelated activities: the development of a staffing plan (Paragraph 13), the adoption of merit-based promotions (Paragraphs 14 through 20), and the implementation of a developmental career path (Paragraph 21). The goal of these three interconnected activities is for the PRPB to develop processes and mechanisms that promote professional, ethical, and respectful policing services to effectively address Puerto Rico’s public safety challenges. To attain these goals in Professionalization, the PRPB were take reasonable measures to achieve performance expectations in this area of the Agreement. However, delays have dominated the PRPB’s response.



Paragraph 13 required the PRPB to conduct a staffing allocation and resource study to assess human resource needs for the entire organization. The study is the cornerstone of the professionalization reforms and the basis for a staffing and resource allocation master plan rooted in community-oriented policing principles. This requirement was part of the approved Plan on Professionalization, which detailed steps and timelines were fully incorporated, enforceable terms of this Agreement.

Paragraph 13 of the Agreement, entitled “Staffing and Community Policing,” reads as follows:

*“PRPB shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPB shall conduct a staffing allocation and resource study. The study shall form the basis for a staffing and resource allocation plan that is consistent with community-oriented policing principles and supports the systematic use of partnerships and problem-solving techniques. To foster community-oriented policing, the plan shall consider deployment practices that offer officers opportunities to serve the communities in which they reside.” (The underline is mine)*

The fact is that the PRPB has completed the capacity building period and the findings corroborate what the TCA has been claiming since his first report: the staffing and human resource strategy of the PRPB fails to meet the demands of the Agreement and the Action Plans in all areas, from recruitment to promotion or supervision. As the TCA has documented time and time again and the facts on the ground are confirming, the cost of this failure are extraordinarily high in terms of public safety and the trust in the commitment of the PRPB to sustainable reform. Hurricanes Irma and Maria and the implementation of Act 20 have further accentuated the administrative and operational failures of the PRPB in the area of staffing. The damage is done and cannot be undone easily if left unattended. From a strategic vantage point, the PRPB should consider the potential opportunity of a major modernization of the staffing structure and the need for a new recruitment strategy.



## **Building Civil Rights' Protection Capacity (I): Administrative Complaints and the Police Response to the Mass Demonstrations of May 2018**

The TCA interviewed the SARP (Superintendency for Professional Responsibility) leadership on January 23, 2018 in order to gain a better understanding of the effects of Hurricanes Irma and Maria on the operations, organizational management, and the process related to the investigations and assessment of complaints filed on police personnel. The findings of this assessment were reported in the Seventh Annual Report.

During this reporting, the TCA continued to document the deficiencies found in the early part of 2018.

The TCA visited SARP on April 17, 2018 with the purpose of reviewing domestic violence complaints filed from January 2017 through May 2018. The purpose of the review was to identify patterns and practices related to the filing and processing of domestic violence cases with SARP. That is, domestic violence cases that involve a police officer or member of the police department (civilian). In addition, the TCA visited the *Oficina de Asuntos Legales* (OAL) in order to assess the processing of domestic violence cases by this particular office.

### Processing Domestic Violence Complaints:

During the visit to SARP, the following data was acquired which illustrates the domestic violence cases received by SARP during 2017 and in the first few months of 2018:

\*In 2017, there were a total of 99 domestic violence cases received by SARP

\*In 2018 (January 1, 2018—April 17, 2018), there were a total of 21 domestic violence cases received by SARP.

\*When comparing the domestic violence cases filed with SARP in January through March of each year, the following was found:

Month	2017	2018	Difference
January	12	7	5
February	16	4	12
March	12	4	8
<b>TOTAL</b>	<b>40</b>	<b>15</b>	<b>25</b>

It is interesting to note that there is an apparent decrease on the number of domestic violence cases filed each month in 2018 when compared to the same months in the previous year. There is a decline of 25 less domestic violence cases filed so far this year when compared to the previous year. If this trend continues, a determination will need to be made in order to attempt at understanding the reasons for the declining trend.

## **2017**

The profile of domestic violence cases filed in 2017 was as follows:

- \*A total of 82 of the 99 domestic violence complaints (83%) filed were initiated by civilians.
- A total of 90 of the 99 domestic violence complaints (91%) were filed by women.
- In 8 of the domestic violence cases filed, both victim and alleged offender were police officers.
- Of the 99 domestic violence complaints received, 93 of them showed that a male was the subject to the complaint while in 6, a female was the subject of the complaint.
- In all of the 99 domestic violence complaints, at least one of the subjects was a sworn PRPD police officer.

## **2018**

The profile of domestic violence cases filed between January 1, 2018 and March 31, 2018, was as follows:

- A total of 15 domestic violence complaints filed this month, 1 was filed by a sworn police officers from the PRPD while 14 of them were filed by civilians.
- In 1 case, both the victim and the alleged offender were sworn police officers from the PRPD.
- In all of the 15 domestic violence complaints, the alleged offenders were male.
- Case Studies:

A total of 5 domestic violence cases were reviewed from the total population of 99 cases filed with SARP in 2017. The following represents the findings specific to each case. It should be noted that only in one case was the violation of the 90-day processing time limit (as per policy) was violated without the proper justification or exemption as given to this timeline on complaints filed before or during Hurricane Maria.

	<b>Case 1 (103)</b>	<b>Case 2 (297)</b>	<b>Case 3 (206)</b>	<b>Case 4 (86)</b>	<b>Case 5 (29)</b>
<b>Complaint Received by SARP</b>	3/24/17	12/15/17	7/12/17	2/15/17	1/10/17
<b>Complaint Assigned</b>	4/5/17	1/2/17	7/28/17	2/16/17	1/23/17
<b>Investigation Completed</b>	7/13/17	3/9/17	1/2/18	4/21/17	3/6/17
<b>Violation of 90 Day Rule</b>	Yes	No	Yes, but within Hurricane Maria Exemption	No	No

Oficina de Asuntos Legales (OAL):

The TCA visited with the OAL in order to assess the manner in which domestic violence complaints filed with SARP were being handled by this office. Given that all domestic violence complaints are considered criminal in nature, they are then sent to the OAL in order for the internal legal process to commence. The findings related to this visit are as follows:

- Domestic violence complaints filed with SARP are given by the OAL a designation of Code 24.
- All domestic violence complaints are considered not be “typical” cases; thus, requiring individualized attention, according to OAL.
- Upon receipt of the domestic violence complaint, OAL notifies the accused of being suspended through possible violation of rule 54. A receipt showing the signature of the accused acknowledging receipt is provided.

The OAL is made up of the following:

- 21 total individuals working for the OAL.
- 17 of the 21 are attorneys (including director).
- 9 of the 17 attorneys are contracted and they mostly work on complaints; particularly, domestic violence complaints.
- 4 of the 21 individuals working for OAL are staff.
- Although it is not clear on the exact percentage, the OAL estimates that approximately less than 20% of all cases worked on by this office, are specific to domestic violence.
- The OAL handles both criminal and civil matters related to the PRPD including, but not exclusive of, cases that are filed by outside parties in a civil proceeding.

#### Key Findings:

It was clear that the domestic violence complaints handled by SARP are being processed in a systematic manner and that an effort is being made to process them within the 90-day time period, as specified by the internal policy. It is also positive to know that the new software system will aim at capturing the data being processed through SARP in a manner that will make it a realistic goal to quantify and analyze it in real-time.

During the visit, it was found that, when the OAL receives the domestic violence complaint from SARP, it coordinates with the District Attorney (DA) and “suspends” the internal investigation of the incident pending the resolution and final disposition of the case by the District Attorney. This protocol is not consistent with best practices and may pose the risk of violating the rights of the accused through unnecessary delays

throughout the process. Further, suspending the internal investigation by citing the involvement of the DA in the criminal aspect of the case, is not only unnecessary but also poses of risk of violating the 90-day rule in the policy related to the processing of cases. It should also be noted that the standard of proof of an internal investigation by the OAL is the preponderance of evidence while the criminal aspect of the case, handled by the DA, relies on reasonable doubt. Therefore, the internal matters related to these investigations by OAL should not be dependent on any investigation and processing of the case by the District Attorney.

#### TCA Visit to Fajardo Police Area in the municipality of Rio Grande (SARP):

In a previous report, the TCA identified three areas of Puerto Rico whose local SARP personnel were still unable to communicate and file complaints with headquarters given electricity shortages, after Hurricane Maria. One of these three areas was Fajardo, whose local SARP personnel are based in Rio Grande. As such, the TCA visited Rio Grande and met with the SARP commander from the region in order to identify and assess conditions in the Fajardo/Rio Grande SARP Office.

It became apparent, during the visit, that the Rio Grande SARP has experienced a serious organizational trauma since the arrival of Hurricanes Irma (September 6, 2017) and Maria (September 20, 2017). All personnel were assigned to various posts in order to support the relief effort. Further, the Rio Grande SARP office, which services Vieques, Culebra, Ceiba, Fajardo, Luquillo and Rio Grande, was simply put “paralyzed” during the time of the hurricanes and the post recovery time period.

In spite the fact that the electricity has not returned to the Rio Grande SARP Office (as of January 5, 2018), the transition post Hurricane Maria has affected this particular office in terms of the number of personnel assigned to SARP to process complaints and the volume of work. That is, see below for personnel and work load trends:

#### Pre-Maria SARP Personnel Assigned to Rio Grande:

- Total of 8 individuals assigned to SARP Rio Grande
- Of the 8, three (3) were sergeants
- Of the 8, two (2) were lieutenants
- Of the 8, one (1) was at the officer rank

- Of the 8, two (2) were reserve officers

#### Post-Maria SARP Personnel Assigned to Rio Grande:

- Total of 4 individuals assigned to SARP Rio Grande
- Of the 4, two (2) are lieutenants
- Of the 4, one (1) is a sergeant
- Of the 4, one (1) is at the officer rank

Note that SARP Rio Grande personnel was largely reduced to half of the pre-Hurricane Maria personnel.<sup>58</sup> Yet, the jurisdiction and scope of work remains the same. When asked as to the reasons why the personnel were significantly reduced, SARP noted that this has to been due to various reasons including, but not exclusive of, retirements, transfers, and contracts not renewed.

With regards to workload and volume of complaints processed, SARP Rio Grande notes the following number of complaints processed:

January 1, 2017----April 19, 2017.....24 complaints received  
January 1, 2018----April 19, 2018.....23 complaints received

With regards to pre and post Hurricane Maria, the workload and nature of complaints were as follows:

#### Pre-Hurricane Maria:

January 1, 2017-----September 18, 2017.....66 complaints received  
Nature of average complaint: Subordination and Absenteeism

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<sup>58</sup> The PRPB has recently challenged these numbers. The PRPB argues that there were 6 individuals assigned pre-Maria and 6 individuals assigned post-Maria. The PRPB has asked that the findings and recommendations are revised accordingly. This analysis was initially shared with the Parties and the PRPB and neither the numbers nor the findings were challenged. This Report stands by this analysis and findings.

**Post-Hurricane Maria:**

September 18, 2017---December 31, 2017 .....23 complaints received

Nature of average complaint: Subordination and Absenteeism

Total in 2017..... 89 complaints received by the SARP Rio Grande Office.

**Key Findings:**

Perhaps one the most significant finding made on the analysis of the SARP Rio Grande Office relates to the fact that the SARP personnel assigned to this office has been reduced to half from the pre-Hurricane Maria period. Restated, the work load has dramatically increased for each of the current SARP members assigned to this office. In fact, pre-Hurricane Maria, the average number of complaint cases handled by each SARP staff member was four (4). However, post-Hurricane Maria, the average number of complaint cases handled by each SARP employee is sixteen (16). This constitutes a workload increase of 300% in complaint cases being processed in this particular jurisdiction.

Another key finding relates to the “criteria” currently being utilized when processing and designating complaints. That is, the TCA learned that when the complainant visits with the SARP intake officer, the initial complaint form is completed and submitted to the local SARP command staff for review. During this review process, the SARP command staff member literally looks up a list of possible violations with their respective policy number, based on the circumstances of the allegation, and designates only ONE of these violations to the complaint. The issue here is that ONLY ONE violation is designated to a case while there may be circumstances (as it is often the case) where MULTIPLE violations may have taken place. When asked, the SARP Rio Grande Command Staff member explained that the “system” does not allow them to enter more than one complaint violation per incident/case.

Further, the fact that the criteria related to the selection of the possible policy violations (assuming there may be multiple), is being left up to one individual, without a clearly specified guideline to govern his or her discernment, does not follow best practices and is simply “troubling”.



After this assessment, the TCA continued to evaluate the conditions of SARP. At the request of Col. Ramirez from SARP, the TCA performed a site visit of the Inspections Unit in Rincon on June 26, 2018. The purpose of the visit was to attempt at understanding the current capabilities and operations of the Inspections Unit, which operates within SARP. The additional objective was to find out more about the current status of production related to the Inspections Manual, which is to be developed and implemented as part of the general orders of the Puerto Rico Police Department.

### Findings:

The TCA met with the individual in charge of Inspections, Inspector Eduardo Morales Perez. During the visit, Inspector Morales Perez made a power point presentation with the following information relevant to the current capabilities of the Inspections Unit:

- a) There is a total of 6 individuals assigned to the Inspections Unit for the entire island, which is made up of 13 police areas; all are subject to inspections. Of the personnel assigned, there is 1 inspector, 1 captain, 1 lieutenant, and 3 sergeants.
- b) Throughout Puerto Rico, there are 4 regional offices which have been designated for the Inspections Unit. Of these, only a few are operational given personnel shortage. Specifically, the Section Region Norte and Section Region Sur, do have any personnel assigned. Thus, these regions of the island are seldom inspected.
- c) The headquarters or center of operation for the Inspections Unit is situated in the remote area of Rincon.
- d) The 4 regional offices have the following geographical oversight:
  - i. Region Oeste: Mayaguez, Aguadilla, Arecibo.
  - ii. Region Sur: Ponce, Utuado, Guayama, Aibonito.
  - iii. Region Norte: San Juan, Carolina, Bayamon.
  - iv. Region Este: Fajardo, Humacao, Caguas.
- e) Currently, there are 563 units, which belong to SAOC and SAIC, throughout the island of Puerto Rico, which are subject to inspections by the Inspections Unit.

- f) In terms of distances covered within the 4 regional offices, the Inspections Unit has to perform inspections within the following demographical areas:
  - i. Region Oeste: 153 kilometers
  - ii. Region Sur: 117 kilometers
  - iii. Region Este: 87.4 kilometers
  - iv. Region Norte: 65.6 kilometers
- g) The Inspections Unit reports to have inspected, during 2017, a total of 6 areas within the Island. These 6 areas include Aguadilla, Mayaguez, Utuado, Arecibo, Ponce and Fajardo.
- h) Regarding the interruption of inspections services, caused by both Hurricane Irma and Maria, the Inspections Unit reports to have worked January through August 2017 without interruptions. However, from August through December 2017, the Inspections Unit was assigned to support police services, which led to the interruption of inspections. However, the Inspections Unit resumed inspections-related work in January 2018 until now.
- i) In terms of productivity, from January 2017 until December 2017, a total of 51 units, 369 MPPR (police personnel), and 137 police vehicles, were inspected. In 2018, from January until May, a total of 17 units, 109 MPPR and 40 vehicles have been inspected.
- j) In 2018, the areas of Mayaguez, Arecibo and San Juan have been inspected.
- k) There are currently 4 vehicles assigned to inspectors, for purposes of island-wide inspections.

#### Assessment:

The TCA found the visit and review of documentation to have been insightful and productive. The TCA commends Inspector Morales Perez for taking various initiatives to start the Inspections Unit. For instance, Inspector Morales Perez is responsible for drafting the inspections sheets (templates), for designing the patches worn by the inspectors, and for tracking some of the data relevant to the productivity of the Inspections Unit.

Despite these efforts, it is clear to the TCA that the Inspections Unit is in need of modernizing its data collection mechanism. Currently, the Unit collects information on a single inspection, by hand, and enters this information accordingly. Further, the Unit Inspectors, when performing an inspection, use paper copies of the inspection document which then they have to use as a reference when entering the data in the single computer they share in the small office that houses the unit in Rincon. This current practice may lead to data errors which then will produce inaccurate reports.

It was noted, during the TCA visit, that when inspectors flag a particular police site or individual as not being in compliance, the inspectors produce a report which is kept locally (in Rincon). That is, this report flagging a police unit or individual as not being in compliance is NEVER sent to SARP for their records. Therefore, in cases, when the police site or individual address the compliance issue raised by inspectors, within the 30 days issued, SARP will never learn of the findings made by the Inspections Unit. This is troubling given the fact that the violation of rules and regulations identified by inspectors is never transmitted or recorded in headquarters by SARP and therefore, never part of an assessment of performance of local command staff as well as police personnel.

According to the Inspections Unit, on the average, 1 or 2 out of every 10 inspections result in violations of policies or regulations. However, the Inspections Unit claims that in most of these cases, the violators address the issues raised and when re-inspected, they are almost always in compliance. In those rare instances when compliance is not attained within the 30 days specified, the case is referred to SARP. However, it was found that SARP never reports back to the Inspections Unit, the final resolution of the case. Again, this is a failure of communication and one that needs to be addressed. It is important, and within best police practices, that SARP communicate back to the Inspections Unit, the final resolution of the case.

With regards to the Inspections Manual, the Inspections Unit reported that this creation of this manual is the sole jurisdiction of the Reform Unit, and not the Inspections Unit. When consulted, the Reform Unit claims that this manual is being drafted and that at some point, early on, it was discussed whether the document would be drafted in the form of a manual or general policy. Regardless of the format, it is clear that without this manual the Inspections Unit is left without specific guidelines on the manner in which inspections are performed, recorded, reported, and addressed.

In addition, it should be noted that there was no clear explanation given as to justification on why the Inspections Unit is located in the remote area of Rincon. Given the shortage of resources and personnel, this location does not make sense. Further, it provides a challenge for the current personnel to inspect locations throughout the island that may be hard to reach from the extreme western area of Puerto Rico. It is also the case, that the permanent physical presence of the commander in charge of inspections, at the headquarters building, may provide a stronger venue of communication and coordination between SARP and the Inspections Unit.

Overall, there are some critical areas that should be addressed right away regarding the Inspections Unit of the Puerto Rico Police Department, as outlined in this report. The TCA will continue to monitor the daily operational activities of this specific unit and will provide assistance, as needed, in the development of the Inspections Manual.

Finally, the TCA recently visited SARP Headquarters in San Juan, Puerto Rico. Prior to the visit, the TCA made a request to review all of the files relevant to complaints made against line officer and command staff members during the past 5 years. During the visit, complaint files (both administrative and non-administrative) were made available to the TCA for review. The process relevant to the review of complaint files is long and time consuming as it became obvious, during the visit, that the punitive recommendation made by the original investigative officer does not necessary adhere to the same language or entry made in the computerized system. Thus, a series of physical inspections became necessary to review a single file. The following tables represent the information analyzed relevant to the data obtained for the ranks of Captain, Inspector, Commander, Lieutenant Colonel (LTC), and Colonel (COL):

#### Complaints on Colonels (COL):

- There is a total of 9 colonels.
- - Of the 9 colonels in place, 6 were subject to complaints.
  - Of the 6 colonels subject to complaints, 2 were subject to 1 complaint each (the least number of complaints recorded).
  - Of the 6 colonels subject to complaints, 1 of them was subject to 4 complaints (the most received by a colonel)

- Of the 6 colonels subject to complaints, 2 of them were subject to 3 complaints each (second most significant number of complaints received by a colonel).
- A total of 15 complaints were filed against 6 colonels, during the time period specified.
- A total of 14 complaints (out of 15) showed that they had been finalized.
- When considering the initial disciplinary recommendation with the final disciplinary outcome, some of the complaints showed that a change had occurred. A physical inspection of these is required to determine the “reason” for this change.
- NONE of the 14 complaints filed against colonels resulted in a disciplinary action.

#### Complaints on Lieutenant Colonels (LTC):

- There is a total of 33 lieutenant colonels.
  - Of the 33 lieutenant colonels in place, 26 were subject to complaints.
  - Of the 26 lieutenant colonels subject to complaints, 11 were subject to 1 complaint each (the least number of complaints recorded).
  - Of the 26 lieutenant colonels subject to complaints, 1 of them was subject to 7 complaints (the most received by a lieutenant colonel)
  - Of the 26 lieutenant colonels subject to complaints, 1 of them was subject to 5 complaints (second most significant number of complaints received by a lieutenant colonel).
- A total of 60 complaints were filed against 26 lieutenant colonels, during the time period specified.
- A total of 47 complaints (out of 60) showed that they had been finalized.
- When considering the initial disciplinary recommendation with the final disciplinary outcome, some of the complaints showed that a change had occurred. A physical inspection of these is required to determine the “reason” for this change.
- ONLY 1 complaint filed against lieutenant colonels resulted in a disciplinary action.

#### Complaints on Commanders:

- There is a total of 42 commanders.
  - Of the 42 commanders in place, 29 were subject to complaints.
  - Of the 29 commanders subject to complaints, 11 were subject to 1 complaint each (the least number of complaints recorded).

- Of the 29 commanders subject to complaints, 1 of them was subject to 8 complaints (the most received by a commander)
  - Of the 29 commanders subject to complaints, 1 of them was subject to 6 complaints (second most significant number of complaints received by a commander).
- A total of 67 complaints were filed against 29 commanders, during the time period specified.
- A total of 45 complaints (out of 67) showed that they had been finalized.
- When considering the initial disciplinary recommendation with the final disciplinary outcome, some of the complaints showed that a change had occurred. A physical inspection of these is required to determine the “reason” for this change.
- Only 1 complaint filed against a commander resulted in a suspension while 10 resulted in “orientation”. The latter is a rather informal process by which the subject of disciplinary action is simply reminded of the rules and regulations that govern the department.

#### Complaints on Inspectors:

- There is a total of 57 inspectors.
  - Of the 57 inspectors in place, 37 were subject to complaints.
  - Of the 37 inspectors subject to complaints, 22 were subject to 1 complaint each (the least number of complaints recorded).
  - Of the 37 inspectors subject to complaints, 6 of them were subject to 6 complaints (the most received by an inspector).
- A total of 65 complaints were filed against 37 inspectors, during the time period specified.
- A total of 42 complaints (out of 65) showed that they had been finalized.
- When considering the initial disciplinary recommendation with the final disciplinary outcome, some of the complaints showed that a change had occurred. A physical inspection of these is required to determine the “reason” for this change.
- ONLY 2 complaints filed against inspectors resulted in a disciplinary action.

#### Complaints on Captains:

- There is a total of 82 captains.
  - Of the 82 captains in place, 55 were subject to complaints.

- Of the 55 captains subject to complaints, 24 were subject to 1 complaint each (the least number of complaints recorded).
  - Of the 55 captains subject to complaints, 1 of them was subject to 8 complaints (the most received by a captain).
- A total of 127 complaints were filed against 55 captains, during the time period specified.
- A total of 79 complaints (out of 127) showed that they had been finalized.
- When considering the initial disciplinary recommendation with the final disciplinary outcome, some of the complaints showed that a change had occurred. A physical inspection of these is required to determine the “reason” for this change.
- ONLY 3 complaints filed against captains resulted in suspensions while 9 resulted in “orientation”. The latter is a rather informal process by which the subject of disciplinary action is simply reminded of the rules and regulations that govern the department.

#### Key Findings:

1. The current paper-based system in place with SARP on all complaints presents serious challenges to monitor and/or evaluate data related to the complaint process and complaints filed/reviewed.
2. The codes utilized on most physical files do not match the computer version of these; making it very difficult if not impossible to verify if the information recorded is accurate. Hence, negating the ability for an external source (i.e., monitors) to validate the data.
3. The “justifications” given to explain the change between the original disciplinary recommendation issued by the investigator and the final disciplinary outcome (often issued by a SARP supervisor), are not sufficient to justify or explain the change. Therefore, posing serious questions regarding the rationale that supports the change on the discipline administered to command staff members.
4. With regards to the data reviewed:
  - a. It is statistically improbable (and perhaps even impossible) that out of the 334 complaints filed against 153 members of the command staff, only 7 resulted in disciplinary action beyond an “orientation”. It would be interested and insightful to compare these outcomes with complaints filed against members of the police department with lesser ranks.



- b. The data suggests that the higher the rank, the less likely the individual is to receive any discipline at all. (i.e., none of the complaints filed against colonels resulted in a disciplinary action).
- c. Of the 223 members of the command staff, 153 were subject to a complaint. Restated, a total of 69% of the command staff at the PRPD, were subject to a complaint.
- d. There are serious concerns regarding the quality of the reporting and recording mechanisms in place related to complaints filed with SARP. Further, the analysis of the data leads to questions on the integrity of the process as it relates to final disposition of cases and the manner in which discipline is administered. A further review is in order.

In addition to all of this work, under Paragraph 227, the TCA conducted an audit on the PRPB's policing of mass demonstrations deemed appropriate by the Court. On May 4, 2018, the United States District Court in case Number 3:12-cv-02039 issued an order authorizing the TCA to assess the events of May 1, 2018, and report on findings. This report is currently under review and will be submitted soon to the Court after receiving comments from the Parties. The TCA will report on these findings in his next report or as soon as the report is available for public dissemination.

## Section IV

### Projected Activities: Paragraph 205(e)

Consistent with Paragraph 250 (e), the Monitor will continue to work in the upcoming six months reporting on compliance with the Agreement. Here the TCA discusses the current workplan of the TCA submitted to the Court and the Parties in the context of the required methodology.

Roadmap for a Consensus-based, Validated Methodology to Assess Compliance (Agreement ¶ 241-249).

On or before October 4, 2018, the Parties and the Monitor agreed on the following:

1. The meaning of policy, training, and practice compliance, pursuant to Paragraph 242;
2. A rating scale that measures change for each of the Paragraph 242 requirements (policy, training, practice);
3. A preliminary methodology that describes data sources, evaluation methods, and related outcome measures; and
4. A calendar for completing compliance reviews and outcome assessments, pursuant to Paragraph 245.
  - From October 8, 2018 through January 8, 2019, the Monitor and the Parties will jointly conduct a baseline assessment and gap analysis to assess current conditions and validate the preliminary methodology through field visits. Specifically, the Monitor and the Parties will: determine whether predicted data sources are existent and viable; identify gaps in data sources and concerns with data integrity; validate proper evaluation methods, including appropriate sampling; develop appropriate compliance thresholds; and update outcome measures.
  - From January 9 – March 8, 2019, the Monitor will design logical models and specific audits and compliance reviews based on the validated methodology. The Monitor will develop standard document and data requests, which will be supplemented on an ongoing basis with non-standard requests in accordance with the Agreement.
  - From March 9 – April 8, 2019, the Monitor and the Parties will agree upon an updated and complete methodology to be applied beginning on April 9 for the Tenth Semi-Annual Report (“SMR-10”). The complete methodology will include data sources, evaluation methods, compliance thresholds, and related outcome measures. The Ninth Semi-Annual Report (“SMR-9”), covering October 8, 2018 to April 8, 2019, will report on the results of the baseline assessment and gap analysis, including identifying which paragraphs are measurable using the agreed-upon methodology. For those paragraphs that are not measurable, the Commonwealth will develop a corrective action plan.
  - From March 9, 2019 – October 8, 2019, the Monitor will design complete outcome assessment logical models and data collection based on the validated methodology. The Monitor will develop standard document and data requests, which will be supplemented on an ongoing basis with non-standard requests in accordance with the Agreement.
  - The TCA and the Parties will review the updated and complete methodology on an ongoing basis, as needed, to consider whether modifications are necessary as additional data management systems are implemented and additional data

sources become available and based on the TCA's and the Parties' experience implementing the monitoring methodology. At least one review of the monitoring methodology shall occur six years after the Appointment Date as part of the Comprehensive Reassessment under Paragraph 249.

Meeting the goals and requirements of the Agreement requires a comprehensive review of the PRPB's current policies, practices and systems; performing both a "baseline" and a "gap analysis" to understand how those current policies, trainings, practices and systems differ from the Agreement's requirements and best practices; revising policies, practices and systems to incorporate the Agreement's requirements and best practices; training PRPB personnel so they can fulfill their responsibilities under the Agreement's requirements; and implementing the Agreement's requirements into practice.

The Roadmap is based on Paragraph 242. Paragraph 242 sets forth as follows:

"Four years after the Appointment Date and in accordance with the provisions of the approved Action Plans, the TCA shall begin to regularly conduct compliance reviews to assess PRPB's compliance with each of the Agreement provisions in Sections III through XIII. The TCA shall assess and report whether PRPB has, for each Agreement requirement: (a) incorporated the requirement into an implemented policy; (b) trained all relevant personnel in the requirement and policy; and (c) fully implemented in practice. These compliance reviews shall contain both quantitative and qualitative elements as necessary for reliability and comprehensiveness.

For purposes of assessing and reporting on each of the three compliance levels of Paragraph 242, the Monitor shall use the following definitions for each paragraph of the Agreement:

- (a) "incorporated the requirement into an implemented policy" shall mean that PRPB has in place operational and effective policies and procedures that are designed to guide officers, supervisors, commanders, and other relevant personnel in the performance of the tasks that are set forth in the Agreement and generally-accepted policing practice. This will be referred to as Primary or Policy Compliance.
- (b) "trained all relevant personnel in the requirement and policy" shall mean that PRPB has developed all necessary training materials and sufficiently trained to

competency all pertinent personnel in the performance of the tasks that are set forth in the Agreement and applicable policies and procedures. This will be referred to as Secondary or Training Compliance.

(c) “fully implemented in practice” shall mean consistent and verified adherence to the requirements of the Agreement and applicable policies and procedures in the day-to-day operation of PRPB where personnel are held accountable for performing the requirements of applicable policies and procedures as written by their superiors. This will be referred to as Operational Compliance.

(d) The Monitor has recommended to the Parties and the Parties have agreed in principle that the idea of “full implementation in practice” must take into consideration and is operationalized through the assessment of resources, human resources and staffing, data collection and data analysis protocols, and operational implementation.

This three-step Critical Path (policy, training, and operational or implementation in practice compliance) lays out the steps the Commonwealth and the PRPB must take to successfully achieve full and effective compliance with the Agreement, and how the Monitor will assess the compliance. This process will take place for the duration of the compliance phase and will began its implementation during the first six month of the compliance period and prior to the Monitor’s issuance of the first Six-Month Compliance Report pursuant to Paragraph 251. These tasks are divided into four broad phases:

- a. conducting a “current baseline assessment” and “gap analysis” of the PRPB and Commonwealth’s current state of affairs;
- b. revising or creating policies;
- c. training and implementation; and
- d. the Monitor’s issues audits and reports assessing change and progress made.

In short, the Agreement requires the Commonwealth and the PRPB to achieve full and effective compliance as determined by the Court. For the Commonwealth and the PRPB to be in compliance with an Agreement requirement, Paragraphs 242 and 251 demand that the requirement<sup>59</sup> must be:

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<sup>59</sup> Paragraph 251 does not add a new requirement to the three compliance levels in Paragraph 242. Paragraph 251(b)(3) requires that the TCA indicate in his reports whether a particular paragraph was reviewed or audited by the TCA during the monitoring period.

- a. incorporated into implemented policy;
- b. the subject of sufficient training provided to all relevant PRPB officers and employees;
- c. reviewed or audited by the Monitor and the PRPB's own self-assessment to determine whether the requirement has been fully implemented in actual practice; and
- d. found by the Monitor to have been fully implemented in practice. (Agreement ¶¶ 242, 251)

Some areas of attention during the next six months are as follows:

1. Consistent with Paragraph 250 (e), the TCA will continue to work in the upcoming six months providing technical assistance and review for the policies that the PRPB will submit in subsequent months once the requested extensions are approved by the Court.
2. Will assess and report on the effect the police "flight" has on compliance with the Agreement
3. Will work with the Parties on the implementation of a new framework for the Agreement in the aftermath of Hurricanes Irma and Maria, including technical assistance in the development of a recovery and resiliency plan as well as a Continuity of Operations ("COOP") plan
4. Will continue to provide support to the Police Academy while emphasizing more comprehensive IT technical assistance.
5. Will continue to conduct random visits to districts, precincts and units to determine that records relating to incidents of use-of-force have been prepared and completed.
6. Will conduct random visits to districts, precincts and units to determine whether the Supervisors of the PPR have conducted reviews and investigations on use-of force.
7. Will continue to monitor the implementation of the NIBRS policy. The TCA will review the production schedule and will interview IT staff to monitor it.
8. Will continue to support the implementation of Paragraph 13.

9. Provide support to the Court in the implementation and execution of Public Hearings.
10. Continue to monitor evidence rooms inspections.
11. Continue to implement next steps in the implementation of Paragraph 241
12. Continue to meet with stakeholders to ensure Reform information is properly disseminated and relations are developed.
13. Conduct ride-alongs to verify compliance with new established policies and trainings.
14. Continue to monitor the progress of the PRPB Information Technology Infrastructure development; and,
15. Continue to assess the progress of the Drug, Vice, and Illegal Firearms Division.

## **Appendix 1**

### **Paragraph 250(b-d): Compliance Tables**

#### **SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR APRIL 1 – OCTOBER 7, 2018**

***Office of the Technical Compliance Advisor to the  
Agreement for the Sustainable Reform of the  
Puerto Rico Police Department***



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## TCA Reports under the Agreement

### *Paragraph 250 of the Agreement:*

“During the first four years, from the Appointment Date, the TCA shall file with the Court, written public reports every six months that shall include:

- a) a description of the work conducted by the TCA;
- b) a listing of each detailed step in the Action Plans and its timeframe indicating whether the timeframe has been met, and whether the Commonwealth of Puerto Rico is making satisfactory progress toward implementation of the Agreement by rating PRPD in full, partial, or non-compliance steps in the Action Plan;
- c) the methodology and specific findings for each review conducted, where appropriate, and redacted as necessary for privacy concerns. An un-redacted version shall be filed under seal with the Court and provided to the Parties. The underlying data for each audit or review shall not be publicly available, but shall be retained by the TCA and provided to either or both Parties upon request;
- d) for any detailed steps that were reviewed and found not to have been fully implemented in practice, the TCA’s recommendations regarding necessary steps to achieve compliance; and
- e) a projection of the work to be completed during the upcoming reporting period and any anticipated challenges or concerns related to implementation of the Agreement.”

**Methodological notes for the reader:<sup>1</sup>**

In accordance with Paragraphs 240 and 250, the TCA must file with the Court, every six months, written, public reports during the first four years from the Appointment Date [June 6, 2014]. The purpose of these reports is for the TCA to determine whether PRPB is “making satisfactory progress toward implementation of the Agreement” (Paragraph 250) and “evaluate PRPB’s compliance with this Agreement by assessing PRPB’s progress against its Action Plans.” (Paragraph 240) To determine compliance, among other things, the TCA must perform two distinct tasks:

“The TCA shall assess whether PRPB has met the timeline for each detailed step specified in the Action Plans, and whether PRPB is in full, partial, or noncompliance with the detailed steps.” (Paragraph 240)<sup>2</sup>

Generally, the report must describe the work conducted by the TCA during the period covered by the report and outline which requirements from the Agreement and Action Plans have been incorporated into policy, trained for, and carried out in actual practice. This is the TCA’s seventh report in satisfaction of his ongoing obligation to review, assess, and report.

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<sup>1</sup> Here we follow closely the structure of the reports of the Cleveland Police Monitoring Team and the Seattle Police Monitoring Team. There are other reports from other jurisdictions that have also framed the content and format of this Report.

<sup>2</sup> Paragraph 240. See 250 (b).

In the first two years since the TCA's appointment date, my team and I avoided the use of tables, report cards, ratings, and similar devices to measure compliance. It was the opinion of the team and their lengthy professional experience that the over-simplification of measuring progress or compliance through a table sidetracked the discussion about the substance of the PRPB's compliance. The tables limited the TCA from his ability to openly discuss the work that the PRPB engaged in to achieve compliance.

However, the TCA and his team agree with the position of the USDOJ that five years into the Agreement and four years into the capacity building period, it is useful to present a paragraph-by-paragraph accounting of the state of the PRPB's compliance with the specific requirements of the Agreement and the steps of the Action Plans. Although the risk over-simplification persists, the Team and I concluded that this approach of measuring compliance through tables is beneficial to the Parties and the Court.

Consequently, each of the following sections of this appendix displays with a table – activity by activity, step by step – the state of the PRPB's compliance with the requirements of the Action Plans.

The Report use the following rating structure and color code:

**Non-Compliance**. The PRPB has not yet complied with the relevant provision of the Action Plan. This includes instances in which the PRPB's work or efforts have begun but

cannot yet be certified by the TCA Team as compliant with a material component of the Action Plan requirement.

**Partial Compliance.** The PRPB has made sufficient initial strides or sufficient partial progress toward compliance toward a material number of key components of the step of the Action Plan – but has not achieved real, effective operational compliance. This includes instances where policies, processes, protocols, trainings, systems, or the like exist on paper but do not exist or function in day to-day practice. It may capture a wide range of compliance states or performance, from the PRPB having taken only very limited steps toward operational compliance to being nearly in full compliance. It also includes situations where the PRPB has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

**Full Compliance.** The PRPB has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across time, cases, and/or incidents. This includes instances where it can be shown that the PRPB has effectively complied with a requirement fully and systemically.

**Evaluation Deferred.** This category reflects those limited instances where work in a given area has been intentionally and affirmatively deferred in order to work on other, necessary

prerequisites. In these areas, the PRPB could have made more progress in a given area but, for project management, budgetary, or operational reasons, have appropriately focused attention on other areas.

In considering this classification scheme, readers of this report should keep some important things in mind. First, a designation of “Partial Compliance” does not necessarily or in itself mean that the lack of progress is something that the TCA finds problematic under the circumstances. In some instances, it does. But, there are many instances where partial compliance includes situations where the PRPB has made notable progress to technically comply with the requirement of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Second, the Monitoring Team’s conception of “partial compliance” requires more than the PRPB simply taking some limited or initial steps toward adhering to a specific step of an Action Plan or an Agreement requirement. That is, a “partial compliance” determination is not used simply because some small amount of work has been conducted. Instead, “non-compliance” becomes “partial compliance” when the PRPB has made sufficient, material progress toward compliance – suggesting that the PRPB has graduated from the stages of initial work to more well-developed and advanced refinement or various reforms.



Third, the compliance that this report discusses is with respect to compliance with the various, specific provisions of the Action Plans – and not with respect to the “Full and Effective Compliance” with the whole of the Agreement which is defined in Paragraphs 10 (bb), 294 and 301.<sup>3</sup> Such “Full and Effective Compliance” will be reached when the PRPB has reached “sustained compliance with all requirements of this Agreement, or sustained and continuing improvement in constitutional policing, as demonstrated pursuant to the Agreement’s outcome measure.”

The various charts that begin sections of this report involve intentionally condensed summaries of the requirements in each paragraph. For the sake of space and clarity, we do not reprint the entire Action Plans and/or Agreement in the document. Any imprecision detected by these condensed or summarized requirements is unintended and, in any event, can be cured with reference to the original Agreement and Action Plans language themselves. This is the reason why we have added the Paragraphs and activities in the tables.

Further, the TCA Team bases its assessments on its current understandings, knowledge, and information gained through ongoing field work document reviewing, data gathering, and discussing with PRPB, the Parties, and other stakeholders. During this capacity building phase, the assessments are often less formal to the extent that not all of them

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<sup>3</sup> Paragraph 11, bb, defines Full and Effective Compliance. “Full and Effective Compliance means sustained compliance with all substantive provisions of this Agreement and sustained and continuing improvement in PRPD policing. The substantive provisions of this Agreement are all provisions contained in Sections III through XIII.”

are necessarily informed by the type of exhaustive quantitative compliance and outcome measurements that are a critical component of the Agreement under Paragraphs 242 and 243. In this sense, it is important to understand that the summary determinations here do not take the place of these more structured, systemic analyses. Ongoing, rigorous quantitative assessments will provide a more comprehensive picture during the compliance phase as work under the Agreement proceeds. However, this task is just impossible at present given the data gathering limitations of the PRPB.

The terms adopted here – including Non-Compliance, Partial, and Full Compliance – are terms that appear in the Agreement. Categorizing the state of compliance with the steps of the Action Plans and the Agreement requirements by using these terms is a method that the TCA has internalized to explain and discuss the substantive work and progress that the PRPB has made in a systematic, straightforward way. This is not unique. The rating approach is similar to the methodological approach used by police monitors in Cleveland, Albuquerque, Cincinnati, Detroit, East Haven, Los Angeles, New Orleans, and others, as well as consent decrees in non-police contexts.

In the next report, the Report will also include additional differentiation between six crucial categories of compliance: policy compliance, staffing compliance, resource compliance, training compliance, documentation compliance, and outcome compliance. For example, policy compliance means (a) that there are sufficient written policies and procedures in place so that, if they were implemented, compliance would be achieved; and (b) that there are no policies and procedures in place that are inconsistent with the requirement.

There are two other minor comments. Compliance with a policy deadline is determined by the date the PRPB submitted the policy for review, not the date the policy was approved. Unless otherwise noted, the training statistics are based on PRPB self-reported data on the percentage of members of the PRPB trained and certified out of the total members of the PRPB

## Compliance Tables for Professionalization Action Plan

### Section III. Professionalization Requirements: 12 to 21

#### I. Policy and Procedure Development Objectives:

##### Activity III.I.1.1

III.I.1.1	<p>Collaborate in the review of the Puerto Rico Police Department Personnel Regulation (No. 4216) to tailor it to the requirements of the Agreement for the Sustainable Reform of the Puerto Rico Police Department in relation to the following matters: promotions, transfers, and responsibilities and duties by rank.</p> <p><b>This policy is part of the Policies and Procedures Compliance Area Action Plan.</b></p>
Due Date	November 2017
TCA Assessment	<b>See Policies and Procedures Compliance Area Action Plan.</b>
Recommendations	This activity was jointly revised in working session of July/2018. No comment was made on it.
TCA Rating	See Policies and Procedures Compliance Area Action Plan.

## Activity III.I.1.2

III.I.1.2	<p>Review General Order, Chapter 600, Section 617, entitled “Code of Ethics of the Members of the Puerto Rico Police Department”</p> <p>Paragraphs 12, 87, 109, 113 and 205</p>
Due Date	April 2015
TCA Assessment	<p>The PRPB met the formal requirement to draft the policy. The current effective date was 6/20/2018.</p> <p>The PRPD reported that the Superintendent signed the “Code of Ethics for PRPD Members on April 23, 2015 as part of the activities related to police ethics.</p> <p>Training is ongoing. In March 2018, there was 99.92% compliance with training based on PRPB reporting.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. The PRPB reports that virtual re-training is in the process of being developed. They did not specify the date when it will be ready.
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity III.I.1.3

III.I.1.3	<p>Review General Order No. 2010-12, entitled “Rules and Procedures for Transfer Transactions of Rank System Personnel” to tailor it to the requirements of the Agreement for the Sustainable Reform.</p> <p>Paragraphs 13, 14, 16 through 20, 113,136, and 137</p>
Due Date	May 2016. Current effective date is 5/15/2017 for last revision.
TCA Assessment	<p>The PRPB met the formal requirement to draft the policy. On May 15, 2017, the Police Commissioner signed this policy.</p> <p>The TCA is concerned about transfer transactions in practice. See Section III of the TCA Sixth Report.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. These reviews include the findings of the TCA assessment of 2017. This activity was revised in working session of July/2018. General Order is in the process of its annual review. It was sent in June/2018.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity III.I.1.4

III.I.1.4	<p>Review the Interagency Collaborative Agreement between the PRPB and the PR Office of Government Ethics signed on March 16, 2015, for the purpose of joining efforts through SAEA and promoting an exchange of training opportunities.</p> <p>Paragraphs 12, 21, 113, and 143</p>
Due Date	July 2016
TCA Assessment	The PRPB met the formal requirement to draft the policy on 03/16/2015
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. The MOU continues in force. This activity was revised in working session of July/2018. Two action are pending: certification from the OEG and number of PRPB staff that took the training.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>



## Activity III.I.1.5

III.I.1.5	<p>Repeal Regulation No. 6644, entitled “Regulation for Promotions Based on Merit and/or Heroism up to Rank of Captain,” and the “Regulation for the Administration of Promotion Exams” to develop a new regulation establishing that written exams will be administered up to the rank of Captain.</p> <p>Paragraphs 14, 16, 17 20,21, 84,113, 136, and 137</p>
Due Date	December 2016. <u>Compliance with the Activity</u> : 06/30/2018
TCA Assessment	<p>The TCA is concerned about the way in which the PRPB handled 2015 and 2016 promotions.</p> <p>TCA is also concerned about the impact of Act 20 and the derogation of Act 53.</p> <p>Regulation is in the process of its review. It was sent in June/2018 as requested in the first extension. There is no date regarding the effective date.</p>
Recommendations	Continue annual review in accordance with Agreement requirements. This activity was revised in working session of July/2018
TCA Rating	<p>Timeframe <b>was not originally met</b>. An extension was granted for this activity. Timeframe was then met.</p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan</p>

## Activity III.I.1.6

III.I.1.6	<p>Develop General Order establishing the descriptions, functions, duties, responsibilities, and minimum requirements of each position included in the PRPB Rank System.</p> <p>Paragraphs 15, 113, and 135</p>
Due Date	September 2016. <u>Compliance with the Activity:</u> 06/30/2018
TCA Assessment	<p>The TCA is concerned about the way in which the PRPB handled 2015 and 2016 promotions.</p> <p>TCA is also concerned about the impact of Act 20 and the derogation of Act 53.</p> <p>Regulation is in the process of its review. It was sent in June/2018 as requested in the first extension. There is no date regarding the effective date.</p>
Recommendations	Continue annual review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not originally met.</b> An extension was granted for this activity. Timeframe was then met.</p> <p>The Commonwealth of Puerto Rico is in in <b>partial compliance</b> with this step of the Action Plan</p>

## II. Training Development Objectives:

### Activity III.II.1.1

III.II.1.1	<p>Through the Auxiliary Superintendency for Education and Training (SAEA, Spanish acronym), the PRPB will create a multitopic</p> <p>Training Program to <b>develop employees' ethical and professional judgment and values</b> with the collaboration of the Office of Government Ethics (OGE), as stipulated in the Collaborative Agreement between the two agencies. These training courses will be part of continuing education and will be certified as contact hours by the OGE.</p> <p>The Program will include, but not be limited to the following topics: (Table 6)</p> <ul style="list-style-type: none"> <li>1.1.1 General Order 617: MPRPB Code of Ethics</li> <li>1.1.2 police ethics and integrity</li> <li>1.1.3 ethical leadership</li> <li>1.1.4 ethical attitudes in the workplace</li> <li>1.1.5 ethical principles in management and supervision (this training course is contemplated in the Supervision and Management Compliance Area Action Plan)</li> <li>1.1.6 managing emotions for ethical coexistence</li> <li>1.1.7 community policing principles (this training course is contemplated in the Community Interaction and Public Information Compliance Area Action Plan)</li> <li>1.1.8 techniques to guide and manage MPRPBs in an effective manner and promote effective and ethical police practices (effective supervision) (this training is contemplated in the Supervision and Management Compliance Area Acton Plan), and</li> <li>1.1.9 Federal and commonwealth non-discrimination laws and PRPB policy (this training is contemplated in the <b>Equal Protection and Non-Discrimination Compliance Area Action Plan</b>).</li> </ul> <p>Paragraphs 12, 21, and 143</p>
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Due Date	May 2016
TCA Assessment	<p>In past reporting periods, the TCA reviewed these training materials. The TCA approved the training designs (syllabus) of the topics that will be object of the Multitopic Training Program.</p> <p>These trainings were scheduled to begin in February 2017 to June 2017. However, the PRPB was delayed in the development phase of the materials needed for these training.</p> <p>The TCA highlights that the PRPB has been offering the training of the General Order 617: MPRPB Code of Ethics (1.1.1). This policy was developed in compliance with the Agreement. However, other training materials must be added.</p> <p>The PRPB statistics show 99% compliance in Code of Ethics training. (Note to the reader: In this Report, unless otherwise noted, the training statistics are based on PRPB self-reported data on the percentage of members of the PRPB trained and certified out of the total members of the PRPB)</p> <p>The PRPB reported that training was already developed by the Academy and has already passed to National University College to be prepared and integrated platform virtual trainings. There is no available the date will be posted on the virtual platform.</p>
Recommendations	Continue review of training materials in accordance with Agreement requirements. This activity was revised in working session of July/2018.
TCA Rating	<p>Timeframe <b>was met</b> for 1.1.1 (GO 617 training materials). Timeframe <b>has not been met</b> for 1.1.2 through 1.1.9</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with 1.1.1. The Commonwealth of Puerto Rico is in <b>non-compliance</b> with 1.1.2 through 1.1.9</p>

## Activity III.II.2.1

III.II.2.1	<p>PRPB, through the Auxiliary Superintendency for Education and Training (SAEA, Spanish acronym), will create a <b>Training Program for all members of the Promotion Exams Board</b> to guarantee that promotions in the PRPB are in accordance with equal employment opportunity principles and non-discrimination laws and comply with the three (3) areas of educational activities—cognitive, affective, and psychomotor—necessary to perform successfully the management and supervisory tasks related to the requirements of the rank that the candidates aspires to obtain.</p> <p>The Program will include, but not be limited to, the following topics: (Table 7)</p> <p>2.1.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department</p> <p>2.1.2 designing exams to measure cognitive activities</p> <p>2.1.3 drafting questions that will measure knowledge, comprehension, application, and analysis, and</p> <p>2.1.4 designing and preparing question banks for each topic that will be examined.</p> <p>Paragraphs 12, 21, and 143</p>
Due Date	Activity was carried out in June 2016. The next dates will be set once the Superintendent constitutes the Exams Board.
TCA Assessment	The PRPB met the formal requirement of developing the training program. This activity was revised in working session of July/2018. No comment was made on it.
Recommendations	Continue review of training materials in accordance with Agreement requirements. The TCA would like to train members of the Board on the requirements of the Agreement (2.1.1)
TCA Rating	<p>Timeframe <b>was met</b>.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity III.II.3.1

III.II.3.1	With the purpose of professionalizing the personnel who perform supervisory and management tasks, training courses will be developed to provide them with the resources needed to carry out effective and direct supervision in accordance with the Constitution and laws of the U.S. and the Commonwealth of Puerto Rico, and generally accepted police practices. These training courses are contemplated in the <b>Supervision and Management Compliance Area Action Plan</b> .
Due Date	n/a
TCA Assessment	<b>This policy is part of the Supervision and Management Compliance Area Action Plan.</b>
Recommendations	This activity was revised in working session of July/2018. No comment was made on it.
TCA Rating	This policy is part of the <b>Supervision and Management Compliance Area Action Plan</b> .

### III. Training Implementation Objectives:

#### Activity III.III.1.1

III.III.1.1	<p>With the purpose of promoting the development of ethical judgment and their professional development, the PRPB will implement training courses for all its employees. In relation to MPRPBs, the training courses will be focused on police ethics and integrity pursuant to generally accepted police practices and applicable laws.</p> <p>Paragraphs 12 and 21</p>
Due Date	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel through its certified instructors, with the collaboration of personnel from Ethical Judgment Development Center (CDPE, Spanish acronym) at the Office of Government Ethics to <b>develop ethical and professional standards and values</b>. The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the announcement issued by the SAEA and the training plan provided by each police area and auxiliary superintendency once approved by SAEA. (Table 8)</p> <p>Training courses will be implemented as indicated in Appendix C – Training Implementation Process.</p>
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings
TCA Rating	Timeframe <b>was met</b> for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 <b>has not been met</b> .



	<p>Having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in full compliance with G.O 617 training. With 99% current compliance, the Commonwealth of Puerto Rico is well underway to achieve full compliance by March 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9 during this reporting period.</p>
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## Activity III.III.1.2

III.III.1.2	<p>1.2 The PRPB will begin by training <b>MPRPBs who are first responders and provide direct service to communities:</b></p> <p>1.2.1 personnel assigned to Zones of Excellence (SAOC)</p> <p>1.2.2 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC)</p> <p>1.2.3 districts, precincts, and posts (SAOC).</p> <p>Paragraphs 14, 16, 17, 19, and 20</p>
Due Date	Training courses will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings.
TCA Rating	<p>Timeframe <b>was met</b> for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 <b>has not been meet</b>.</p> <p>For SAOC and SAIC, having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in <b>full compliance</b> with G.O 617 training. With above 90% current compliance, respectively, both SAOC and SAIC units are well underway to achieve <b>full compliance</b> by March 2018.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with 1.1.2 through 1.1.9 during this reporting period.</p>

## Activity III.III.1.3

III.III.1.3	<p>The PRPB <b>will continue training by giving priority to the MPRPBs who belong to the following Divisions and Units:</b></p> <ul style="list-style-type: none"> <li>1.3.1 Division of Tactical Operations (DTO) (SAOC)</li> <li>1.3.2 Division of Special Weapons and Tactics (SWAT) (SAOC)</li> <li>1.3.3 Bureau of Highway Patrols (SAOC)</li> <li>1.3.4 Bureau of Vehicle Theft Investigations (SAIC)</li> <li>1.3.5 Arrests and Extraditions Division (SAIC)</li> <li>1.3.6 Force Investigation Unit (FIU) (SARP)</li> <li>1.3.7 Members of Joint Task Forces (SAIC)</li> <li>1.3.8 K-9 Division (SAIC)</li> <li>1.3.9 remaining personnel of the Auxiliary Superintendency for Field Operations</li> <li>1.3.10 remaining personnel of the Auxiliary Superintendency for Criminal Investigations</li> <li>1.3.11 Auxiliary Superintendency for Professional Responsibility</li> <li>1.3.12 Auxiliary Superintendency for the La Fortaleza Police, and</li> <li>1.3.13 Auxiliary Superintendency for Managerial Services</li> </ul> <p>Paragraphs 12 and 21</p>
Due Date	Training courses will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings
TCA Rating	<p>Timeframe <b>was met</b> for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 <b>has not been met</b>.</p> <p>Having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in <b>full compliance</b> with G.O 617 training.</p>

	<p>With 93% current compliance, the Commonwealth of Puerto Rico is well underway to achieve full compliance by March 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9 during this reporting period.</p>
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## Activity III.III.2.1

III.III.2.1	Through the Auxiliary Superintendency for Education and Training (SAEA), the PRPB will create a <b>Training Program for all members of the Promotion Exams Board</b> to guarantee that promotions in the PRPB are in accordance with equal employment opportunity principles and non-discrimination laws. (Table 9)  Paragraphs 14, 16, 17, 19, and 20
Due Date	The first Exams Board established after the Agreement was trained in March 2015. The next dates will be 60-90 days after the Superintendent constitutes a new Promotion Exams Board.
TCA Assessment	The training was adequate to the Task.
Recommendations	n/a
TCA Rating	Timeframe <b>was met</b> .  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan.

## IV. Implementation Objectives:

## Activity III.IV.1.1

III.IV.1.1	<p>The PRPB will establish a working group constituted by a representative from the auxiliary superintendency and from each auxiliary superintendent. The leader of the working group will be the Auxiliary Superintendent for Managerial Services, who will be responsible for developing a work plan that will define the responsibilities of each member of the working group and allow for conducting a personnel and resources allocation study that will result in an effective assignment of the personnel. The purpose of the study is to consider the appropriate number of personnel in the rank and classified systems to fulfill the operational and administrative work necessary to fight crime. The results of the study will help to appropriately distribute all PRPB personnel and to group tasks, which will redound in: reducing costs, hiring and promotion processes, redirecting work and appropriately deploying personnel in work units based on service demands, availability, and the feasibility of the community policing philosophy. (Table 10)</p> <p>Paragraphs 13, 80, 87, 135, 136, and 137</p>
Due Date	December 2016
TCA Assessment	<p>The PRPB noted in the Plan that they had sufficient internal human resources and no obstacles were anticipated. However, there was no commitment from PRPB leadership to get this activity done in a timely fashion.</p> <p>The Working Group was constituted last semester, prior to the compliance date established by the Action Plan.</p> <p>The Work Plan of the Working Group team was sent for review December 2017; and, reviewed and discussed by the TCA in January 2017.</p> <p>The Working Group drafted the Request for Proposal (RFP) necessary for the hiring of the consultant that will carry out the study required in paragraph 13 of the Agreement.</p>

	<p>The contract for the consultant that will carry out the study was executed in April. The selected consultant began to work on the study in May 2017.</p> <p>In the last revision of the Professionalization Action Plan, the compliance date for the delivery of the study was changed to December 2017.</p> <p>The TCA understands that the delays in the fulfillment of Paragraph 13 had a negative impact in the decision making in the PRPB. The completion of the study is essential for the PRPB to improve its level of compliance with all areas covered by the Agreement.</p>
Recommendations	See Section III of the TCA Sixth Report
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with the step of the Action Plan.</p>

## Activity III.IV.1.2

III.IV.1.2	<p>Conduct a study of PRPB human resources, taking into consideration their status and the operational and administrative work performed by employees to identify existing needs and subsequently in decision-making. (Table 11)</p> <p>Paragraphs 13, 80, 87, 135, 136, and 137</p>
Due Date	April 2018 [original December 2017]
TCA Assessment	See Message from the TCA and TCA Sixth Report.
Recommendations	See Message from the TCA and TCA Sixth Report.
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline that was met.</p> <p>From the perspective of the TCA, the Commonwealth has been non-compliant for most of the reporting period. The progress made in the first three months of 2018 changed that. At present, the Commonwealth of Puerto Rico is in <b>full compliance</b> with the step of the Action Plan.</p>



## Activity III.IV.1.3

III.IV.1.3	<p>The superintendent will make decisions regarding the reassignment of human resources, the opening of new announcements for promotions, and/or recruitment of personnel that are consistent with the community policing principles of equality and non-discrimination and in accordance with generally accepted police practices based on service needs so that the PRPB can fulfill its mission. <u>This plan</u> will be based on the study that will be conducted. (Table 12)</p> <p>Paragraphs 13, 80, 87, 135, 136, and 137</p>
Due Date	December 2018 [Original: December 2017]
TCA Assessment	See Message from the TCA and TCA Sixth and Seventh Report. The Plan was sent on September 16, 2018. This is item 1 in the extension request. Contract in place.
Recommendations	See Message from the TCA and TCA Sixth Report.
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline that was met.</p> <p>From the perspective of the TCA, the Commonwealth has been non-compliant for most of the reporting period. The progress made in the first three months of 2018 changed that. At present, the Commonwealth of Puerto Rico is <b>in partial compliance</b> with the step of the Action Plan. It is unclear how community policing principles are fully incorporated in the workplan and what decisions the Police Commissioner will ultimately make.</p>

## Activity III.IV.2.1

III.IV.2.1	<p>The superintendent will appoint the members of the Promotion Exams Board to carry out the procedures related to promotion exams established by regulation. The PRPB will develop the promotion exams in consultation with the TCA based on generally accepted police practices and the applicable federal and state law.</p> <p>Select and appoint the members of the Promotion Exams Board. (Table 13)</p>
Due Date	6-12 months prior to the date of the Promotion Exams Announcement once determined by the superintendent, after considering the needs and allocation of fiscal resources for said purpose. The Promotion Exams Board is constituted by the superintendent while there are promotion exams scheduled; once the exams are administered, the Board will be dissolved.
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance.</b></p>

## Activity III.IV.2.2

III.IV.2.2	The SAEA will offer consultation for the development and administration of promotion exams to ensure that they are tailored to generally accepted learning performance measurement standards. It will also evaluate performance-related qualifications in accordance with the needs of the rank, as established in the Agreement for the Sustainable Reform of the PRPB and in applicable policies and procedures. (Table 14)
Due Date	The first Exams Board constituted after the Agreement was trained in <b>March 2015</b> . The next dates will be 60-90 days after the superintendent constitutes a new Promotion Exams Board.
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	Timeframe <b>was met.</b>  The Commonwealth of Puerto Rico is in <b>full compliance.</b>

## Activity III.IV.2.3

III.IV.2.3	The Promotion Exams Board will develop the tests for the candidates to promotion and it will also organize and carry out all activities related to the administration and scoring of said tests. (Table 15)
Due Date	<p>Session I: Sergeant: August 29, 2015  Session II: Captain and Lieutenant I: October 24, 2015  Session III: Lieutenant II: December 5, 2015</p> <p>The date of the Promotion Exams Announcement will depend on the needs identified and the fiscal resources allocated for said purpose.</p> <p>Exams will be completed on the date determined by the Promotion Exams Board.</p>
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance.</b></p>

## V. Self-Assessment Objectives:

## Activity III.V.1.1

III.IV.1.1	<p>1.1 The PRPB, through the Office of Reform, will use various data collection strategies and will conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, and training courses it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) police areas and offices of auxiliary superintendents, such as:</p> <p>1.1.1 Use the training plan and the training announcement issued by the SAEA for each of the courses to identify their start date, the time police areas and the corresponding auxiliary superintendencies have to complete the training, and the work units that will be given training priority. The training plans for each of the thirteen (13) police areas and Auxiliary Superintendencies, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be provided. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</p> <p>1.1.2 Making random visits to each of the thirteen (13) police areas and auxiliary superintendencies using the training plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in accordance with the syllabi, instructor handbooks, presentation, and approved assessment methodology.</p> <p>1.2 The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses it provides, such as:</p> <p>1.2.1 On an annual basis, compiling a random sample of data from the Human Resources System and</p>
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	<p>comparing it to the data obtained from the reports of the auxiliary superintendencies to ensure that the System is maintained up-to-date with transfers and new assignment of duties.</p> <p>1.2.2 Monitoring the distribution of personnel as they were reassigned by visiting the various work units.</p> <p>1.2.3 Compiling information about personnel who are about to retire or resign to determine vacancy needs.</p> <p>1.3 On a biannual basis, compiling a random sample of the work MPRPBs are carrying out to make sure they are performing the duties corresponding to their ranks. (Table 16)</p>
Due Date	Ongoing, Not applicable
TCA Assessment	The PRPB Report adequately documents PRPB's self-assessment process. PRPB must review more closely the reliability of data to be used in the paragraph 13 study. It should also more closely monitor data from the evaluation of 2015 and 2016 promotions.
Recommendations	n/a
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b>.</p>

## VI. Budget:

TCA Assessment: The Commonwealth of Puerto Rico is in **partial compliance** with this step of the Action Plan for the reasons described in the message of the TCA

## VII. Revision of the Action Plan:

TCA Assessment: no applicable

## Compliance Tables for Use of Force Action Plan

### Section IV. Use of Force: Internal Controls and Accountability Requirements: 22 to 57

#### I. Policy and Procedure Development Objectives:

##### Activity IV.I.1.1

IV.I.1.1	Review General Order, Chapter 600, Section 603, entitled "Use and Handling of Impact Weapons." (Table 1)  Paragraphs 22,23, 24(G), and 53
Due Date	February 2015. The current effective date is 6/13/2018.
TCA Assessment	General order Chapter 600, Section 603 Use and Management of Impact Weapons was approved by the Superintendent on January 31, 2015.  To date, 96% of members of the PRPB have been trained based on PRPB's self-reported data. Attachment 13 of the Status Report. Based on Attachment 14 of the Status Report, the percentage is 99%  The statement members of the PRPB does refer to the entire PRPB irrespective of rank or division. It is applicable to all sections where the TCA assesses training compliance. The source of the information is the PRPB Police Academy. The information is derived solely from the PRPB; however, the Core Team members during their site visits to Area Commands verify their training numbers.  The PRPB reports that virtual re-training is already developed as of 6/29/2018. Training is at 96-99%.
Recommendations	The TCA will continue the bi-annual review process in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan

## Activity IV.I.1.2

1.2	<p>Review General Order, Chapter 600, Section 604, entitled “Use and Handling of Chemical Agents.” (Table 2)</p> <p>Paragraphs 22,23, 24(E), 25, and 53</p>
Due Date	January 2015. The current effective date is 4/24/2018
TCA Assessment	<p>General Order Chapter 600, Section 604 Use and management of Chemical Agents was approved by the Superintendent on March 27, 2015.</p> <p>To date, 93% of members of the PRPB have been trained. Virtual training has started.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>



## Activity IV.I.1.3

IV.I.1.3	<p>Develop General Order to establish the Force Review Boards. (This policy became General Order, Chapter 500, Section 502, entitled "Creation of Force Review Boards of the Puerto Rico Police Department"). (Table 3)</p> <p>Paragraphs 22, 46 through 47, 53</p>
Due Date	July 2015. The current effective date is 11/01/2016
TCA Assessment	<p>General Order Chapter 500, Section 502 creating review Boards to Evaluate Incidents of Use of Force by PRPB Members was approved by Superintendent on July 16, 2015.</p> <p>To date, all board members have been trained by the PRPB Academy, including non-voting legal advisors.</p> <p>The reference to all board members is a reference to second lieutenants and above ranks of the PRPB assigned to Area Command Force Review Boards (FRB). They are required not only to be trained on the policy establishing the Board, but also on the use of force related policies.</p> <p>Annual review was sent on June 30, 2018.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.4

IV.I. 1.4	<p>Review General Order 2004-3 entitled “Rules and Procedures for the Use, Carrying, Maintenance, Changing, Seizure, Reassignment, and Disposal of Police Service Weapons” to turn it into the General Order entitled “Use and Handling of Service Weapons.” (This policy was partially repealed by General Order, Chapter 600, Section 618, entitled “Use and Handling of Service Weapons.” The section on rearming remains in effect.) (Table 4)</p> <p>Paragraphs 22,23, 24(B), 26, and 53</p>
Due Date	July 2015. The current effective date is 6/27/2018
TCA Assessment	<p>General Order Chapter 600 Section 618 Use and Management of Regulation Firearm was signed by Superintendent on June 1, 2015.</p> <p>This policy involves Bureau-issued firearms. Much of the policy addresses administrative requirements. Members of the Bureau are required to qualify in “daylight shooting” and “night shooting”. These trainings, which are held different times of the year at the PRPB’s Firearms Range have a classroom component as well. Members of the Bureau are required to complete the training yearly. Training compliance is 99%.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.5

IV.I.1.5	<p>Review General Order, Chapter 600, Section 602, entitled "Use and Handling of Electronic Control Weapon." (Table 5)</p> <p>Paragraphs 22,23, 24(D), and 53</p>
Due Date	December 2014. The current effective date 8/24/2016.
TCA Assessment	<p>General Order Chapter 600, Section 602, Use and Management of Electronic Control Device was approved by the Superintendent on April 10, 2015.</p> <p>Training and retraining commenced on November 30, 2015.</p> <p>To date, 93% of members of the Bureau have been trained on the policy.</p> <p>Various personnel throughout the Bureau have been trained and issued electronic control devices (taser). Not all personnel have been issued the device, partly due to the fact that PRPB is purchasing them in blocks. The devices have been distributed throughout the various commands and units within the PRPB.</p> <p>-The PRPB reports that virtual re-training is already developed.</p> <p>-Training in virtual platform started on June 29, 2018.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.6

IV.I.1.6	<p>Review General Order, Chapter 600, Section 601, entitled “Rules for the Use of Force by MPRPBs” to incorporate the recommendations of the TCA and USDOJ. (Table 6)</p> <p>Paragraphs 22,23, 24, and 53</p>
Due Date	April 2015. The current effective data is 8/24/2016.
TCA Assessment	<p>PRPB prepared General Order Chapter 600, Section 601, Use of Force. The policy was approved and signed by the Superintendent.</p> <p>To date, 99% of members of the Bureau have been trained on the policy</p> <p>This policy was approved at the same time as G.O. 600-605 Report and Investigating Use of Force Incidents (June 1, 2015). The policy was last revised on February 28, 2018.</p> <p>-The PRPB reports that virtual re-training is already developed. -Training in virtual platform started on June 29, 2018.</p>
Recommendations	The TCA will continue the bi-annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.7

IV.I.1.7	<p>Review General Order, Chapter 600, Section 605, "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department" to incorporate the recommendations of the TCA and USDOJ. The PRPB established in this Policy the disclosure of information to the members of the families of the civilians involved in an incident where there was use of force. (Table 7)</p> <p>Paragraphs 22,23, 24, 36 through 39, and 53</p>
Due Date	April 2015. The current effective date is 8/24/2016
TCA Assessment	<p>General Order Chapter 600, Section 605, Reporting and Investigating Use of Force Incidents by PRPB Members was approved by the Superintendent on June 1, 2015.</p> <p>To date, 91% of members of the Bureau have been trained on the policy.</p> <p>The PRPB reports that virtual re-training is already developed.</p> <p>Training in virtual platform started on June 29, 2018.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.8

IV.I.1.8	<p>Develop General Order to Create Force Investigation Unit (FIU). (This policy became General Order, Chapter 100, Section 113, entitled "Force Investigation Unit (FIU).") (Table 8)</p> <p>Paragraphs 22, 48 through 53</p>
Due Date	June 2015. The current effective date is 2/11/2016
TCA Assessment	<p>PRPB drafted General Order Chapter 100, Section 113, creation of Force Investigating Unit (FIU).</p> <p>The members of FIU have been selected. To date, 100% of FIU personnel have been trained on use of force policies (GO Chapter 600, Sections 601 &amp; 605). 100% have been trained in force related policies.</p> <p>The annual review has been stopped. PRPB reports that the revision is pending further meetings with staff of the Division. The Division must certify that its staff is in compliance with all trainings use of force</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.9

IV.I.1.9	<p>Review General Order 73-4 entitled “Rules and Procedures for the Tactical Operations Unit.” The Order will include the requirements for eligibility and permanence in specialized units, as well as the recruitment and selection processes that must be followed. It will also include the requirement of documenting activities related to mobilizations and/or activations, as well as the reporting requirement after they are carried out. (This General Order was repealed by General Order, Chapter 100, Section 112, entitled “Reorganization of Tactical Operations Units.”) (Table 9)</p> <p>Paragraphs 22,23, 27 through 31, and 53</p>
Due Date	July 2015. The current effective date is 7/30/2017.
TCA Assessment	<p>General Order Chapter 100, Section 112, Reorganization of the Tactical Operations Division (DOT) was approved by the Superintendent on January 2016.</p> <p>The PRPB had difficulty with the policy itself, relating to the requirement to qualify for DOT. This caused all related policies to be delayed. Many of the existing personnel who were assigned to DOT could not pass the physical portion of the exam as outlined in the policy.</p> <p>On August 31, 2017, the then Commissioner signed this policy of the Tactical Operations Division (DOT for its acronym in Spanish). This is the first revision of this policy, which in its previous version was tempered for the first time to the Agreement, at the same time the General Order 73-4, titled, “Rules and Procedures for the Tactical Operations Unit” was repealed.</p> <p><u>Trainings Names:</u> DOT 101; DOT 603; DOT 604; PTF 100; PTF 112 y FEMA. Based on PRPB data, there is a 99% compliance with training.</p>
Recommendations	The TCA will continue bi-annual review process in accordance with Agreement requirements
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is <b>now met</b>.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.10

IV.I.1.1.10	<p>Develop the General Order for the Mobilization of the Division of Special Weapons and Tactics (SWAT). The Order will include the requirements for eligibility and permanence in the Division, as well as the recruitment and selection processes that must be followed. It will also include the requirement of documenting activities related to mobilizations and/or activations, as well as the reporting requirement after they are carried out. (This policy became General Order, Chapter 100, Section 117, entitled "Reorganization of the Division of Special Weapons and Tactics (SWAT).") (Table 10)</p> <p>Paragraphs 22, 27 through 31, and 53</p>
Due Date	August 2015. The current effective date is 8/31/2017.
TCA Assessment	<p>General Order 100, Section 117, Reorganization of the Division of Special Weapons and Tactics (SWAT) was approved by the Superintendent on January 2016.</p> <p>The PRPB had difficulty with the policy itself, relating to the requirement to qualify for DOT. This caused all related policies to be delayed. Many of the existing personnel who were assigned to DOT could not pass the physical portion of the exam as outlined in the policy.</p> <p>On August 31, 2017, the Police Commissioner signed the new version of this General Order.</p> <p>The revision of this order meets, for the second time, the provisions of the Use of Force Action Plan.</p> <p><u>Trainings Names</u>: SWAT PAF; SWAT CONF; SWAT DD; SWAT IROX. However, there is no sufficient information regarding training.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is <b>now met</b>.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>



## Activity IV.I.1.11

IV.I.1.11	<p>Develop General Order for the Use of Less-Lethal Munitions and Any Other Technology. (This policy became General Order, Chapter 600, Section 620, entitled “Rules and Procedures for the Use of Specialized Weapons by Members of the Specialized Tactical Units (STUs).”) (Table 11)</p> <p>Paragraphs 22, 23, 24(F) and 24(H), and 53</p>
Due Date	October 2015. The current effective date is 08/31/2017
TCA Assessment	<p>PRPB drafted General Order Chapter 600, Section 620, Procedure for the Use of Intermediate and Specialized Weapons (less than lethal).</p> <p>The policy went in to effect in February of 2016.</p> <p>On August 31, 2017, the then Commissioner signed the new version of this General Order.</p>
Recommendations	The TCA will continue bi-annual review process in accordance with Agreement requirements.
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is <b>now met</b>.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.12

IV.I.1.12	Develop General Order for Crowd Control and Incident Management. (This policy became General Order, Chapter 600, Section 625, entitled "Crowd Control and Management.") (Table 12)  Paragraphs 22, 32 through 35, and 53
Due Date	October 2015. <u>Current Effective Date</u> : 04/19/2016
TCA Assessment	The policy was signed by the Superintendent April 2016.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan

## Activity IV.I.1.13

IV.I.1.13	<p>Review General Order, Chapter 600, Section 607, entitled “Rules to Initiate and Manage Foot Pursuits by Members of the PRPB.” (This General Order became General Order, Chapter 600, Section 623, entitled “Rules for the Management of Police Pursuits.”)</p> <p>Paragraphs 22, 23, and 53</p>
Due Date	November 2015. The <u>Current Effective Date</u> : 03/17/2016
TCA Assessment	<p>Incorporated into the Vehicle Pursuit policy.</p> <p>-This activity was revised in working session with PRPB of July/2018.          -This general order integrated the General Orders 607 and 609.          -The trainings of this general order began on January 16, 2016. Training is at 80%.          -This order has been revised and is pending to be signed by the Commissioner. It wasn’t indicated since when it’s pending for the signature.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements. See 1.14 (Signed by the Superintendent March 2016)
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.14

IV.I.1.14	<p>Review General Order, Chapter 600, Section 609, entitled “Driving Vehicles in Emergency Situations and Police Pursuits.” (This General Order became General Order, Chapter 600, Section 623, entitled “Rules for the Management of Police Pursuits.”) (Table 14)</p> <p>Paragraphs 22, 23, and 53</p>
Due Date	November 2015. The <u>Current Effective Date</u> : 03/17/2016
TCA Assessment	<p>Signed by the Superintendent March 2016. Expanded to include foot pursuits.</p> <p>-This activity was revised in working session of July/2018.</p> <p>-This general order integrated the General Orders 607 and 609.</p> <p>-The trainings of this general order began on January 16, 2016. Training is at 80%</p> <p>-This order has been revised and is pending to be signed by the Commissioner. It wasn't indicated since when it's pending for the signature.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## Activity IV.I.1.15

IV.I.1.15	<p>Protocol to Regulate K-9 [Officers] in Patrolling Duties. This policy became General Order, Chapter 100, Section 116, entitled "Reorganization of the K-9 Division." (This GO repealed GO 2010-5, entitled "Reorganization of the K-9 Division and Creation of the K-9 Training Center."). (Table 15)</p> <p>Paragraphs 22, 23, 24 (C), 111(A), and 53</p>
Due Date	September 2015. <u>Current Effective Date</u> : 04/19/2017
TCA Assessment	<p>Signed by the Superintendent January 2016.</p> <p>-This activity was revised in working session of July/2018.  - The PRPB informed that in June / 2018 and August / 2018 all the personnel of the Canine Division were recertified, including the Kennel Master. This information has been verified.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## II. Data Collection and Reporting Objectives:

## Activity IV.II.1.1

IV.I.1.1	<p>Develop an information sub-system for the compilation and monthly review of use-of-force incidents using the Criminal Incidence [Data] Collection Information System as a reference. The printed forms used for said purposes, such as Form PPR-854, Use of Force, and Form PPR-877, Supplementary Report, will also be considered. The instrument will document, among other things, a detailed description of the incident and the acts that led to the use of force, any injury to an arrestee or allegation of excessive use of force, and the measures taken to treat the injured. Likewise, any MPRPB who is involved in a use-of-force incident will be under the obligation to notify his or her supervisor immediately unless exigent circumstances exist.</p> <p>This sub-system will be contemplated in the Criminal Incidence Data Collection System included in the <b>Equal Protection and Non-Discrimination Action Plan</b>. Said sub-system will be initially implemented in Zones of Excellence and gradually in all work units, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b>. (Table 16)</p> <p>Paragraphs 36 through 39 and 41 through 52</p>
Due Date	12 months (once NIBRS and any other policies affecting System are ready) (Approximate date: January 2017)
TCA Assessment	<p><b>This activity is part of the Information Technology Compliance Area Action Plan.</b></p> <p>The TCA has provided technical support to the PRPB in the development of informational sub-systems, data collection methods, and practical implementation of forms.</p> <p>The TCA has monitored the implementation of the NIBRS policy and the subsequent development of the sub-system. Sub-system developed in 2016 and is currently operational.</p> <p>Compliance with activity will depend on the Commonwealth's ability to implement contracts executed to develop the crime data collection system mentioned in the Equal Protection and Non-Discrimination Action Plan, since several modules or instruments, such as the one mentioned here, will have to be developed together with system. The TCA continue to have concerns about the ability of the Commonwealth to execute these contracts. They should have been executed on or before January 2017.</p>
Recommendations	
TCA Rating	This activity is part of the Information Technology Compliance Area Action Plan. See rating there.

## Activity IV.II.1.2

IV.II.1.2	<p>Develop an information sub-system for the collection and monthly review of information on the activation and mobilization of specialized tactical units (STUs) that will include operational plans and subsequent reports. This sub-system will be contemplated in the Criminal Incidence Data Collection System included in the <b>Equal Protection and Non-Discrimination Action Plan</b>. (Table 30) Said information sub-system will be initially implemented in the Police Areas in which the Zones of Excellence are found and gradually in all other Police Areas, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b>. (Table 17)</p> <p>Paragraphs 22, 23, 30, 31, and 41</p>
Due Date	<p>12 months (once NIBRS and any other policies affecting System are ready) (Approximate date: January 2017)</p>
TCA Assessment	<p><b>This activity is part of the Information Technology Compliance Area Action Plan.</b> NIBRS manual has been approved. The General Order was approved in January 2016.</p> <p>Reform Unit states manual has not yet been approved and is under review by TCA. TCA approval memo pending. Superintendent will sign after TCA.</p> <p>At this point the 36-month timeline for training will begin; however, Mobile CAD is already in Pilot. The Pilot may go live in August 2017 with CAD. The subsystem is done but training manual is not complete because the NIBRS manual is not complete.</p>
Recommendations	<p>With the NIBRS policy in effect, the PRPB should focus on their ability to implement the data collection system contracts.</p> <p>The Pilot should be validated during the demo scheduled for April 2018.</p>
TCA Rating	<p>This activity is part of the Information Technology Compliance Area Action Plan.</p>

### III. Review and Investigation Objectives:

#### Activity IV.III.1.1

IV.III.1.1	<p>PRPB supervisors must complete the reviews and investigations on use of force within no more than five (5) business days pursuant to the provisions of General Order, Chapter 600, Section 605, entitled "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department," in order to determine whether the conduct of the MPRPBs was justified or in keeping with the corresponding policies and procedures. (Table 18)</p> <p>Paragraphs 36 through 40, 43 through 47, 137, 139, and 140</p>
Due Date	12 months (once NIBRS and any other policies affecting the System are ready) (Approximate date: January 2017)
TCA Assessment	<p>The TCA Core Team continues to conduct site visits to ensure progress is being made towards implementation in the field.</p> <p>The TCA is also checking that all Use of Force Reports are maintained on file at SARP/FIU.</p> <p>The PRPB Reform Units reports they conduct similar activities</p> <p>During the Core Team site visits to precincts/districts one of the questions posed to Commanders was whether sergeants were complying with this section of G.O. 600-605. The commanders responded in the affirmative, however they could offer no documentation.</p> <p>The assessment difficulty here lies with the fact the use of force report (PPR-854) cannot be copied, as per PRPB policy, therefore the command has no documentation once the report leaves the command through channels.</p> <p>The Core Team provided in writing to PRPB the recommendation that a log be established in the command where this information would be entered. The log would then be available for inspection.</p>
Recommendations	The TCA will continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan. A more data-driven assessment could not be determined for this activity based on the fact that there is no data collection which is in itself one of the goals of the activity.</p>



## Activity IV.III.1.2

IV.III.1.2	<p>The PRPB will use the information sub-system for the collection and monthly review of use-of-force incidents so that use-of-force incidents, the reviews and investigations of said incidents, and the information on the activation and mobilization of the specialized tactical units (STUs) can be tracked in a reliable and precise manner. This sub-system is included in the <b>Equal Protection and Non-Discrimination Action Plan</b>; it will be initially implemented in Zones of Excellence and gradually in all work units, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b>.</p> <p>The PRPB will perform a complete analysis of use-of-force incidents on a yearly basis to identify significant trends. This analysis will help correct the deficiencies that are identified, pursuant to generally accepted police practices, the public policy of the Agency, and federal and state law. (Table 19)</p> <p>Paragraphs 30, 31, 41, and 91</p>
Due Date	June 2015
TCA Assessment	<p>Given the IT component necessary to carry out this task, the PRPB has not developed a formal method.</p> <p>PRPB has not, as of yet, developed a formal way to analyze use of force incidents, although the Bureau's FIU Unit, which the repository for all use of force reports, maintains its own database. This database, developed by FIU, has been solely used by FIU. The IT Section of the PRPB is developing/building an Early Intervention System Component, that among other things will provide analysis of use of force incidents, however to date it has not been completed.</p>
Recommendations	The TCA will continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was <b>not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan. There is not a complete analysis of use-of-force incidents on a yearly basis identifying significant trends.</p>

## Activity IV.III.1.3

IV.III.1.3	Perform a study to determine the number of supervisors needed to comply with the requirement. <b>This activity will be part of the Professionalization Action Plan.</b>
Due Date	December 2017
TCA Assessment	<b>This activity will be part of the Professionalization Action Plan.</b>
Recommendations	
TCA Rating	This activity is part of the Professionalization Action Plan.

#### IV. Training Development Objectives:

##### Activity IV.IV.1.1

General statement. The Action Plan indicates how due dates for training courses will be determined; but does not actually say what the due dates are. Once a policy is approved and signed by Commissioner the clock starts. The PRPB Academy immediately prepares the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed.

As it relates to Use of Force policies and related policies the following are the dates (see attachment 13 of the PRPB Status Report):

G.O.600-601 & 600-605 June 2018

G.O. 600-602 April 2018

G.O. 600-603 February 2018

G.O. 600-604 March 2018

G.O. 600-623 February 2019

IV.IV.1.1	Review Training on the Use and Handling of Impact Weapons. (Table 20)  Paragraphs 22, 23, 24(G), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	PRPB drafted the training module for impact weapons on June 30, 2015. The module has been reviewed by the TCA and approved. To date: 96% have been trained. The policy has been approved and signed by Police Commissioner. The PRPB Police Academy has prepared the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed. As it relates to this policy, G.O. 600-603, the date for 100% compliance is February 2018
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step with 96% of members trained

## Activity IV.IV.1.2

IV.IV.1.2	Develop Training on the Use and Handling of Chemical Agents. (Table 21)  Paragraphs 22, 23, 24(E), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.
TCA Assessment	<p>The TCA had reviewed and approved the module. General Order Chapter 600, Section 604, Use and Management of Chemical Agents was approved by the Superintendent on March 27, 2015.</p> <p>Field training of personnel began on November 22, 2015.</p> <p>To date: 93% have been trained. (95% in prior report)</p> <p>The policy has been approved and signed by the Police Commissioner. The PRPB Academy has prepared the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed. As it relates to this policy, G.O. 600-604, the date for 100% compliance is March 2018.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step</p>

## Activity IV.IV.1.3

IV.IV.1.3	Develop Training Program for Members of the Force Review Board and the Superintendent's Force Review Board (SFRB). (Table 22)  Paragraphs 46 and 47
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.
TCA Assessment	The TCA has reviewed and approved the module. As of December 2015, 100% of the board members were trained, as well as the non-voting legal advisors.  Since that date, additional members have been added to the board to replace members on the boards. They have all received the required training.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements.
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step.

## Activity IV.IV.1.4

IV.IV.1.4	<p>Review Training on the Use and Handling of Service Weapons. The <b>Training Action Plan</b> will include the mechanism to be used by the SAEA to record and update who has taken the firearm training courses. (Table 37)</p> <p>Paragraphs 22, 23, 24(B), 53, and 54</p>
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b>.</p>
TCA Assessment	<p>Training has been ongoing on the following schedule: Jan-March Night-Training; April-September Day-Training; and Oct-Dec Rifle Training. Firearms training is a yearly requirement.</p> <p>It is expected that by the end of year all officers will have completed required firearms training. The training modules for this policy were reviewed by the TCA Core Team and approved by the TCA.</p>
Recommendations	<p>The TCA will continue to review training development in accordance with Agreement requirements</p>
TCA rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step. The only caveat is that this training is ongoing and yearly, so the rating can change.</p>

## Activity IV.IV.1.5

IV.IV.1.5	Review Training on the Use and Handling of Electronic Control Weapon. (Table 24)  Paragraphs 22, 24(D), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	The module has been approved by the TCA. General Order Chapter 600, Section 602, Use and Management of Electronic Control Device was approved by the Superintendent on April 10, 2015. Training and retraining commenced on November 30, 2015. During site visits it was confirmed that all supervisors were equipped with Tasers along with some selected agents. PRPB at this time has a limited number of Tasers. To date, 93% of officers have been trained.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step

## Activity IV.IV.1.6

IV.IV.1.6	<p>Review Training on Use-of-Force Rules and Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department. (Table 25)</p> <p>Paragraphs 22, 24(A), and 53</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.
TCA Assessment	<p>The module has been approved by the TCA. PRPB has prepared General Order Chapter 600, Section 601, Use of Force. The policy has been approved and signed by the Superintendent.</p> <p>Training on G.O. 600-601 Use of Force and G.O. 600-605 Report and Investigation of Use of Force commenced when the policies were signed by the Superintendent. As of February 2018, 92% of the Bureau has been trained.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step</p>



## Activity IV.IV.1.7

IV.IV.1.7	Develop Training for the Force Investigation Unit (FIU). (Table 26)  Paragraphs 48 through 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.
TCA Assessment	The TCA has completed his review of the module and it has been approved. The members of FIU have been selected. To Date: one hundred (100) percent of FIU personnel have trained on use of force policies (GO Chapter 600, Sections 601 & 605), all have been trained in force related policies. In June 2016, FIU personnel began and completed training at the PRPB Academy on criminal investigations.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step

## Activity IV.IV.1.8

IV.IV.1.8	<p>Develop Multi-topic Training on the Mobilization of the Tactical Operations Unit. (Table 27)</p> <p>Paragraphs 22, 27 through 31, and 53</p>
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.</p>
TCA Assessment	<p>The module has been approved by the TCA. The General Order policy has been finalized by PRPB with the approval of the TCA. The policy went in to effect in February of 2016.</p> <p>This Activity is included in the request for extension of activities not completed in the Action Plans (document OS-4-OR-1-477 / <u>Use of Force, number 2</u>).</p> <p>-The PRPB will deliver the training material on March 4, 2019.</p> <p>-Refer to document SAEA-1-2-176 of July 23, 2018.</p> <p>Training = 73% of officers</p>
Recommendations	<p>The TCA will continue to review training development in accordance with Agreement requirements</p>
TCA rating	<p>Timeframe <b>was not met</b>. PRPB requested an extension.</p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.IV.1.9

IV.IV.1.9	<p>Develop Multi-topic Training on the Mobilization of the Division of Special Weapons and Tactics (“SWAT”). (Table 28)</p> <p>Paragraphs 22, 27 through 31, and 53</p>
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.</p>
TCA Assessment	<p>The Module has been developed by PRPB and approved by the TCA.</p> <p>This Activity is included in the request for extension of activities not completed in the Action Plans (document OS-4-OR-1-477 / <u>Use of Force, number 2</u>).</p> <p>-The PRPB will deliver the training material on March 4, 2019.</p> <p>-Refer to document SAEA-1-2-176 of July 23, 2018.</p>
Recommendations	<p>The TCA will continue to review training development in accordance with Agreement requirements</p>
TCA rating	<p>Timeframe <b>was not met.</b> PRPB requested an extension until March 4, 2019.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.IV.1.10

IV.IV.1.10	<p>Develop Training on Special Weapons by Members of the Specialized Tactical Units (STUs). (Table 29)</p> <p>Paragraphs 22, 23, 24(F), 24 (H), and 53</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	<p>The training has not been developed by PRPB and approved by the TCA. Revisions of OG 600-625 are scheduled for April 2018. Training curriculum for OG 625 (crowd control) is scheduled for May 2018. Training curriculum for OG 620 (specialized weapons) is scheduled for August 2018.</p> <p>The PRPB will ask for an extension of approximately five or six months from June 2018. This means that the training will be ready for implementation by December 2018. At present, SWAT has been trained on OG 620 and OG 625, but not STUs.</p> <ul style="list-style-type: none"> <li>-This Activity is included in the request for extension of activities not completed in the Action Plans</li> <li>-The PRPB will deliver the training material on March 4, 2019.</li> <li>-Refer to document SAEA-1-2-176 of July 23, 2018.</li> <li>-Nevertheless, the PRPB informed that, trainings related to the General Order 112: Tactics and Operations and General Order 625: Management and Crowd Control have started.</li> </ul>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe <b>was not met.</b> PRPB requested an extension until March 4, 2019.</p> <p>T The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.IV.1.11

IV.IV.1.11	Develop Training on Crowd Control and Management for MPRPBs and Specialized Tactical Units (STUs). (Table 30) Paragraphs 27 through 35, and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	<p>Revisions of OG 600-625 are scheduled for April 2018. Training curriculum for OG 625 (crowd control) is scheduled for May 2018. Training curriculum for OG 620 (specialized weapons) is scheduled for August 2018.</p> <p>The PRPB will ask for an extension of approximately five or six months from June 2018. This means that the training will be ready for implementation by December 2018. At present, SWAT has been trained on OG 620 and OG 625, but not STUs.</p> <p>-This Activity is included in the request for extension of activities not completed in the Action Plans.</p> <p>-The PRPB will deliver the training material on March 4, 2019.</p> <p>-Refer to document SAEA-1-2-176 of July 23, 2018.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.IV.1.12

IV.IV.1.12	Develop Training on Rules for the Management of Police Pursuits. (Table 31)  Paragraph 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Development Process.
TCA Assessment	This has been incorporated into the Vehicle Pursuit Training Module
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements. This activity was revised in working session of July/2018. Training is at 80%. Compliance date is February 2019.
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step

## Activity IV.IV.1.13

IV.IV.1.13	Develop Training on Driving Vehicles in Emergency Situations and Police Pursuits. (Table 32)  Paragraph 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	The PRPB has developed the training module and it has been approved by the TCA
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step

## Activity IV.IV.1.14

IV.IV.1.14	Develop Training for Patrol Dog Handlers. (Table 33)  Paragraphs 22, 24 (C), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .
TCA Assessment	The PRPB has developed the training module and it has been approved by the TCA,
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step



## Activity IV.IV.1.15

IV.IV.1.15	Develop Training on the Use and Management of the Automated System to Prepare Electronic Incident Reports. This activity will be carried out pursuant to the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Development Process</b> .  The PRPB informed that, the new compliance date will be November 9, 2018.
TCA Assessment	PRPB is required to Develop Training on the Use and Management of the Automated System to prepare Electronic Incident Reports. This is tied to Information Technology and to date the system has been developed. However, due to a lack of a formal training syllabus, it has not been implemented bureau-wide.
Recommendations	
TCA rating	This activity will be carried out pursuant to the Equal Protection and Non-Discrimination Action Plan.  Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step.

## V. Training Implementation Objectives

### Activity IV.V.1.1

IV.V.1.1	<p>To continue with professionalization, achieve a reduction in use-of-force incidents and equality in the provision of services, and restore the community's trust, the PRPB will implement training, new policies and procedures, equipment, technologies, and operational and administrative strategies.</p> <p>Paragraphs 22, 23, 24, and 53</p>
Due Date	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>MPRPBs</b>. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p>
TCA Assessment	<p>PRPB is building an Early Intervention System (EIS) platform. The system when functional will be an effective mechanism for enhancing accountability within the PRPB. The system will be a database management tool designed to identify officers in the PRPB whose performance exhibits potential problems, and to then provide interventions, usually counseling or training. It is also a tool for supervision management.</p>
Recommendations	n/a
TCA Rating	n/a

IV.V.1.1a	<p>Training on the Use and Handling of Impact Weapons.</p> <p>Paragraphs 22, 23, 24 (G), and 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>To date: 96% of the Bureau has been trained</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b> for phases I and II.</p> <p>Having met the 50% requirement on or before October 2016, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by October 2017. Currently they are at 95% which is in the range of <b>full compliance</b>.</p>

IV.V.1.1b	<p>Training on the Use and Handling of Chemical Agents.</p> <p>Paragraphs 22, 23, 24 (E), and 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>To date, 93% of the Bureau has been trained</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b> for phases I and II.</p> <p>Having met the 50% requirement on or before November 2016, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by November 2017. Currently they are at 95% which is in the range of <b>full compliance.</b></p>

IV.V.1.1c	<p>Training for the Force Review Board and the Superintendent's Force Review Board (SFRB).</p> <p>Paragraphs 46 and 47</p>
Due Date	One hundred percent (100%) of members of FRBs and SFRB will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>The TCA has reviewed and approved the module. As of December 2015, 100% of the board members were trained, as well as the non-voting legal advisors.</p> <p>Since that date, additional members have been added to the board to replace members on the boards, they have all received the required training.</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step.</p>

IV.V.1.1d	<p>Training on Use and Handling of Service Weapons. The <b>Training Action Plan</b> will include the mechanism to be used by the SAEA to record and update who has taken the firearm training courses.</p> <p>Paragraphs 22, 23, 24 (B), 53, and 54</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>It is expected that by the end of year all officers will have completed required firearms training.</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step.</p>

IV.V.1.1e	<p>Training on the Use and Handling of Electronic Control Weapon.</p> <p>Paragraphs 22, 23, 24 (D), and 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b> for Phase I and II.</p> <p>Having met the 50% requirement on or before December 2016, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by December 2017. Currently they are at 94% which is in the range of <b>full compliance.</b></p>

IV.V.1.1f	<p>Training on Use-of-Force Rules and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department.</p> <p>Paragraphs 22, 23, 24 (A), and 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>Training for members of the Bureau in Use of Force Policy G.O. 600-601 and Report and Investigating Use of Force G.O. 600-605 is at 92%. PRPB has until June 2018 to achieve 100% training levels and be in compliance with the terms of the Agreement. On a monthly basis, during its site visits, TCA Core Team members visit the academy to be briefed on training percentages for Use of Force related policies.</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b> for Phase I.</p> <p>Having met the 50% requirement on or before June 2017, the PRPB was in partial compliance. The PRPB was scheduled to achieve <b>full compliance</b> by June 2018.</p>



IV.V.1.1g	<p>Training for Force Investigation Unit (FIU).</p> <p>Paragraphs 48 through 52</p>
Due Date	One hundred percent (100%) of FIU members will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with 100% of FIU members trained.</p>

IV.V.1.1h	Multi-topic Training on Mobilization of Tactical Operations Unit.  Paragraphs 22, 23, 27 through 31
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements.
TCA Rating	Original timeframe <b>was not met</b> . There is a new deadline. Extension requested until April 2019.  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.

IV.V.1.1i	Multi-topic Training on Mobilization of Division of Special Weapons and Tactics (SWAT).  Paragraphs 22, 23, 27 through 31
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements.
TCA Rating	Original timeframe <b>was not met</b> . There is a new deadline. Extension requested until April 2019.  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.

IV.V.1.1j	<p>Training on Special Weapons by Members of the Specialized Tactical Units (STUs).</p> <p>Paragraphs 22, 23, 24 (F), 24 (H), and 53</p>
Due Date	One hundred percent (100%) of STU members will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline. Extension requested until April 2019.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

IV.V.1.1k	<p>Training on Crowd Control and Incident Management for MPRPBs and Specialized Tactical Units (STUs).</p> <p>Paragraphs 22, 23, 32 through 35, and 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations, starting with SWAT and TO as priority groups and, then, the remaining MPRPBs.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline. Extension requested until April 2019.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

IV.V.1.1l	<p>Training on Rules for the Management of Police Pursuits.</p> <p>Paragraph 53</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	Vehicle/Foot Pursuit incorporated into one policy. The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with 100% of FIU members trained.</p>

IV.V.1.1m	<p>Training for Patrol Dog Handlers.</p> <p>Paragraph 24 (C)</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements.
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b>.</p> <p>.</p>

IV.V.1.1n	<p>a. Training on the Use and Management of the Automated System to prepare Electronic Incident Reports. This activity will be carried out in accordance with the <b>Equal Protection and Non-Discrimination Action Plan</b>.</p> <p>1.2 The PRPB will start training <b>MPRPBs</b> who belong to the following work units:</p> <ul style="list-style-type: none"> <li>1.2.1 Members of Joint Forces (SAIC);</li> <li>1.2.2 Personnel assigned to Zones of Excellence (SAOC)</li> <li>1.2.3 Division of Tactical Operations – DTO (SAOC)</li> <li>1.2.4 Division of Special Weapons and Tactics (SWAT) (SAOC)</li> <li>1.2.5 Force Investigation Unit – FIU (SARP);</li> <li>1.2.6 Bureau of Highway Patrols (SAOC);</li> <li>1.2.7 Motorized Unit (SAOC);</li> <li>1.2.8 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</li> <li>1.2.9 Bureau of Vehicle Theft Investigations (SAIC);</li> <li>1.2.10 Arrests and Extraditions Division (SAIC).</li> </ul> <p>1.3 The PRPB will then train <b>MPRPBs</b> who belong to Districts, Precincts, and Offices of Assistant Superintendents, taking the following into consideration:</p> <ul style="list-style-type: none"> <li>1.3.1 number of incidents per location;</li> <li>1.3.2 number of incidents of domestic violence;</li> <li>1.3.3 number of interventions with intoxicated persons;</li> <li>1.3.4 number of arrests made;</li> <li>1.3.5 number of tickets from police interventions;</li> <li>1.3.6 number of complaints filed with the SARP on the following grounds: assault; use of unjustified violence; physical and/or psychological coercion; and assault against MPR</li> <li>1.3.7 distance from support units; and</li> <li>1.1.8 frequency of occurrence of demonstrations (i.e. mass protests)</li> </ul>
Due Date	See Action Plans for Equal protection
TCA Assessment	<p>Currently the Incident Report (PPR-468) is one of the PRPB reports in the CAD System.</p> <p>PRPB on or about April 3, 2017 instituted a “Pilot Program” whereby Utaudo Precinct (ZOE) began completing the report digitally however, officers will still be required to prepare the report by hand.</p> <p>The TCA Core Team member Scott Cragg is working with PRPB’s IT Unit personnel in developing the CAD System. The Incident Report (PPR-468) is in</p>



	the system; however, not all features and functions are available. They will be rolled out as developed.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Action Plans for Equal protection

## VI. Behavioral or Mental Health Crisis Response Objective

## Activity IV.VI.1.1

IV.VI.1.1	<p>Develop General Order for the Crisis Intervention Team (CIT). Policy now included in the Policy titled: Hostage Negotiator Order # 600-28</p> <p>Paragraphs 56 and 57</p>
Due Date	December 2015. <u>Current Effective Date</u> : 04/04/2017
TCA Assessment	<p>The CIT Policy was incorporated into the Policy titled: Intervention Procedure with Persons in Crisis and Hostages Negotiations Policy, General Order Chapter 600 Section 628, signed by Superintendent April 2017. Training was scheduled for</p> <p>Crisis Intervention Policy was initially a policy in itself; however, the PRPB decided to merge it with Negotiations in the Taking of Hostages. This delayed the development of the training. The Core Team in July 2017 approved the proposed training (REA628).</p> <p><u>Compliance with 50% of the training</u>: Trainings to meet 50%, started 04/16/2018. <u>Compliance with 100% of the training</u>: Projected date: 9/16/2019</p> <p>-This activity was revised in working session of July/2018. -This Activity is including in the request for extension of activities not completed in the Action Plans (document OS-4-OR-1-477 / <u>Use of Force, number 3</u>); sent via email on Friday, August 24, 2018, by Joel Torres, Esq. (PRDOJ) to TCA and USDOJ. -This request for extension is to address the delay in the trainings. -The training material was developed by the PRPB Academy, and training began in April 2018. -However, in the past months and as part of the annual review process of this policy, it was determined the following:</p> <ol style="list-style-type: none"> <li>Make two new general orders that address the issues of "crisis intervention" and "negotiators" separately. The revision of these two "new policies" is being carried out at the moment (OCT-2018).</li> <li>The PRPB shall create crisis intervention teams (CIT) in each of the 13 police areas.</li> <li>The training that is in progress for all the members of PRPB, shall be amended to comply with the recommendations of the USDOJ consultant (DEC/2018).</li> <li>For agents who have taken the original training, the Academy will develop a complementary one that addresses the new aspects that will be included.</li> </ol>

	<p>(e) The PRPB shall develop the “Crisis Intervention Team (CIT) Training” for the <u>certification</u> of the sworn agents that will be part of teams.</p> <p>(f) All of the above was agreed so that the PRPB fully complies with paragraphs 56 and 57 of the Agreement.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA rating	<p>Timeframe was not initially met. However, the timeframe <b>is now met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## VII. MPRPB Crisis Intervention Training Development Objective

## Activity IV.VII.1.1

IV.VII.1.1	<p>Develop Training for Behavioral or Mental Health Crisis Response for MPRPBs belonging to the CIT.</p> <p>Paragraphs 53, 56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The CIT Policy was incorporated into the Policy titled: Intervention Procedure with Persons in Crisis and Hostages Negotiations Policy, General Order Chapter 600 Section 628, signed by Superintendent April 2017.</p> <p>To date, no training curriculum has been approved and training has not commenced. Training should have started in October 2017. They are currently delayed six months.</p> <p>REA 628: the design of the courses was extended to prepare the instructors by September 2017, including the negotiators. Prior to initiating the training, PRPB must draft the protocols to structure the CIT groups. This means that the PRPB must determine the composition of the board for recruitment, investigations, and evaluations.</p> <p>-This activity was revised in working session of July/2018.</p> <p>-This Activity is included in the request for extension of activities not completed in the Action Plans.</p> <p>-This request for extension is to address the delay in the trainings.</p> <p>-The training material was developed by the PRPB Academy, and training began in April 2018. No data regarding compliance.</p> <p>-However, in the past months and as part of the annual review process of this policy, it was determined the following:</p> <ol style="list-style-type: none"> <li>Make two new general orders that address the issues of "crisis intervention" and "negotiators" separately. The revision of these two "new policies" is being carried out at the moment (OCT-2018).</li> <li>The PRPB shall create crisis intervention teams (CIT) in each of the 13 police areas.</li> <li>The training that is in progress for all the members of PRPB, shall be amended to comply with the recommendations of the USDOJ consultant (DEC/2018).</li> <li>For agents who have taken the original training, the Academy will develop a complementary one that addresses the new aspects that will be included.</li> </ol>

	<p>(e) The PRPB shall develop the “Crisis Intervention Team (CIT) Training” for <u>the certification</u> of the sworn agents that will be part of teams.</p> <p>(f) All of the above was agreed so that the PRPB fully complies with paragraphs 56 and 57 of the Agreement.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.VII.1.2

IV.VII.1.2	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>MPRPBs belonging to the CIT</b> in relation to <b>Behavioral or Mental Health Crisis Response</b> through instructors it has certified.</p> <p>Paragraphs 53, 56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>Policy signed April 2017.</p> <p>REA 628: the design of the courses was extended to prepare the instructors by September 2017, including the negotiators. See IV.VII.1.1.</p> <p>Refer to the comments made in Activity IV.VI.1.1.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
Compliance	<p>Original timeframe <b>was not met</b>. There is a new deadline.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.VII.1.3

IV.VII.1.3	Develop Training on Behavioral or Mental Health Crisis Response for MPRPBs. Paragraphs 53, 56, and 57
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	Training is scheduled to start on April 16, 2018. Course REA 628. Training currently 40 instructors.  See prior observations.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
Compliance	Original timeframe <b>was not met</b> . There is a new deadline.  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.

## Activity IV.VII.1.4

IV.VII.1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>MPRPBs</b> in relation to <b>Behavioral or Mental Health Crisis Response</b> , as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	Policy creating the position signed by Superintendent April 2017.  Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	Original timeframe <b>was not met</b> . There is a new deadline.  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.



## Activity IV.VII.1.5

IV.VII.1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>MPRPBs</b> in relation to <b>Behavioral or Mental Health Crisis Response</b>, as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.</p> <p>Training for SAIC, SAOC, DOT, SWAT</p> <p>Paragraphs 53,56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p> <p>See appendix C</p>
TCA Assessment	<p>Policy creating the position signed by Superintendent April 2017.</p> <p>Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020</p> <p>The PRPB is likely to ask for an extensión.</p>
Recommendations	
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## Activity IV.VII.1.6

IV.VII.1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>MPRPBs</b> in relation to <b>Behavioral or Mental Health Crisis Response</b>, as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.</p> <p>Training by incident, domestic violence incidents, interventions with DWI, arrests.</p> <p>Paragraphs 53,56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p> <p>See appendix C</p>
TCA Assessment	<p>Policy creating the position signed by Superintendent April 2017.</p> <p>Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020</p>
Recommendations	
TCA Rating	<p>Original timeframe <b>was not met</b>. There is a new deadline.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step. Once the Court approves the extension, the TCA will upgrade his ratings.</p>

## VIII. Self-Assessment Objectives:

### Activity IV.VIII.1.1

The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others, it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 52)

IV.VIII.1.1a	<p>Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</p> <p>Paragraphs 232 and 233</p>
Due Date	N/A
TCA Assessment	<p>During monthly site visits to PRPB Area Commands, the TCA Core Team checks to ensure that PRPB is complying with the above. Documentation relating to training of personnel as well as training calendars are reviewed by the TCA Core Team. During these site visits the TCA Core team is accompanied by Reform Unit Personnel.</p> <p>During these visits, the Core Team meets with the Training Coordinator of the Area. At these meetings coordinators are requested to produce training calendars, as well as training records of random personnel and the certifications of instructors. In addition, the Police Academy also provides training information.</p>
TCA Rating	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>

	The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice
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IV.VIII.1.1b	Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in keeping with the syllabi, instructor handbooks, presentation, and assessment methodology approved by the Technical Compliance Advisor.
Due Date	N/A
TCA Assessment	During monthly 'Site Visits' to PRPB Area Commands the TCA Core Team checks to ensure that PRPB is complying with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> because it cannot explain the relationship between the training and the effects of the training in practice

IV.VIII.1.1c	Visiting SARP to do random evaluations of the files related to use-of-force incidents in order to determine if they have been prepared and completed at the work units and are under the custody of the SARP as established in General Order 605, Chapter 600, Section 605, entitled "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department."
Due Date	N/A
TCA Assessment	<p>The TCA Core Team has conducted "site Visit" to SARP to ensure compliance with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.</p> <p>The FIU Section of SARP is the repository for all completed Use of Force Reports. The FIU section reviews all arriving reports in order to determine if they have been prepared and completed. The Core Team, during its monthly site visits, meets with the FIU Commanding Officer. During these visits, random use of force reports are reviewed for accuracy and completeness. In addition, the Core Team discusses with the FIU the percentage of reports that are returned due to incorrect and/or incomplete information.</p> <p>Note: This has been an ongoing problem and to date the percentage of incomplete reports continues to be at an unacceptable level.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> because it cannot explain the relationship between the training and the effects of the training in practice</p>

IV.VIII.1.1d	Making random visits to the districts, precincts, and units to interview and corroborate whether the Supervisors of the PRPB have performed use-of-force reviews and investigations to evaluate that they are being performed in accordance with the provisions of General Order, Chapter 600, Section 605, entitled "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department."
Due Date	N/A
TCA Assessment	<p>During monthly 'Site Visits' to PRPB Districts and Precinct the TCA Core Team checks to ensure that PRPB is complying with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.</p> <p>It should be noted that due to PRPB's protocol that no Use of Force Report (PPR-605.1) can be copied, the districts/precincts and the Area Commands don't have any copies of the reports that have been forwarded. During site visits of precincts/districts and Area Commands (FRBs) there have been some Use of Force Reports that are in the pipeline that have not been processed/forwarded. In those situations, the reports are reviewed for compliance with General Order Chapter 600 Section 605. The Core Team has recommended in writing that each PRPB precinct/district maintain a log with pertinent information relating to the investigations of use of force incidents. Currently, in order to review a completed Use of Force Report, it requires going to SARP/FIU.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> because it cannot explain the relationship between the training and the effects of the training in practice</p>

IV.VIII.1.1e	Verifying compliance with the provisions of General Order, Chapter 600, Section 602, entitled "Use and Handling of Electronic Control Weapon" in relation to the recovery of the data stored in the Electronic Control Weapon (ECW) during the evaluation of the file corresponding to the use-of-force incident in which an ECW was used.
Due Date	N/A
TCA Assessment	<p>This relates to Use of Force by means of Electronic Control Device (Taser). Currently when a member of the PRPB utilizes his/her Electronic Control Device against an individual the stored data becomes part of the documentation. This has been confirmed by the TCA Core Team during its site visits to Area Command Force Review Boards (an incident involving the use of a taser is at the very least a Level 3, which requires that the use of force be evaluated by the Area Command's FRB).</p> <p>In addition, during the Core Teams visits to Area Commands, the Team has verified that "Electronic Control Weapon Use Record" PPR-892 have been prepared. Generally, this duty is the responsibility of the Area Command Training Coordinator.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> because it cannot explain the relationship between the training and the effects of the training in practice</p>



IV.VIII.1.1f	Verify that MPRPBs have completed form PPR-892 – “Electronic Control Weapon Use Record” registering the arcing test, as established in General Order, Chapter 600, Section 602, entitled “Use and Handling of Electronic Control Weapon.”
Due Date	N/A
TCA Assessment	During the Core Teams visits to Area Commands, the Team has verified that “Electronic Control Weapon Use Record” PPR-892 has been prepared. Generally, this duty is the responsibility of the Area Command Training Coordinator.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> because it cannot explain the relationship between the training and the effects of the training in practice</p>

## Compliance Tables for Search and Seizure Action Plan

### Section V. Search and Seizure: Internal Controls and Accountability Requirements: 12 to 21

No extension has been requested for any of the activities of this Action Plan.

#### I. Policy and Procedure Development Objectives:

##### Activity III.I.1.1

V.I.1.1	Review General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Citations."  Paragraphs 59, 65 through 73
Due Date	December 2014
TCA Assessment	General Order 600-615 was approved by Superintendent November 2015. The TCA conducted the scheduled annual reviews for this general order in February 2016 and August 2017. The 2017 scheduled review was in progress as of March 2018. <u>Current Effective Date:</u> Second annual review, pending the signature of the Commissioner. <u>Compliance with 100% of the training:</u> 99% -It is available on the virtual platform since 06/29/2018. -From that date the agents will have 90 days to take training. -TCA indicates that it is necessary to examine how many arrests, searches and seizures have been held in court
Recommendations	The TCA will continue to conduct bi-annual reviews in accordance with Agreement requirements.
TCA Rating	<b>Timeframe was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan

## Activity V.I.1.2

V.I.1.2	<p>Review General Order No. 2008-13 entitled “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, to the collection thereof, and until it is presented at trial.</p> <p>Paragraph 109</p>
Due Date	September 2016
TCA Assessment	<p>This General Order was created on September 30, 2016 and reviewed by the TCA in October 2016, with changes incorporated in November 2016.</p> <p><u>Current Effective Date:</u> 04/27/2017  <u>Training Name:</u> Syllabus was approved by the TCA the 07/31/2017</p> <p>-The training will be developed in virtual format.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan</p>

## Activity V.I.1.3

V.I.1.3	<p>Review General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures” to incorporate the recommendations of the TCA and USDOJ.</p> <p>Paragraphs 59, 74 through 77</p>
Due Date	August 2015 <u>Current Effective Date:</u> 09/18/2017
TCA Assessment	<p>Approved by Superintendent November 2015.</p> <p>The annual review of this general order was last conducted by the TCA in June 2017. Next review due in June 2018.</p> <p>On September 18, 2017, the Police Commissioner signed an updated new policy.</p> <p><u>Compliance with 50% of the training:</u> 08/12/2017</p> <p><u>Compliance with 100% of the training:</u> 12/21/2018 (projected compliance date). Compliance rate at 69%.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

## Activity V.I.1.4

V.I.1.4	<p>Develop a protocol for the digital recording and storage of communications between the immediate supervisor and the MPRPB through Command Center and Radio Control communication channels in which the MPRPB states the elements of probable cause he or she used to make an arrest for a felony, obstruction of justice, or resisting arrest.</p> <p>Paragraph 66</p>
Due Date	May 2016
TCA Assessment	<p>A protocol was created by PRPB and submitted to the TCA on May 31, 2016.</p> <p>It was reviewed by the TCA and approved by the Superintendent in October 2016. <u>Current Effective Date:</u> 10/20/2016</p> <p>Legacy system is in place in Zones of Excellence and San Juan Area - no new system yet due to cost considerations.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. Annual review is due for 2018.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan</p>

## II. Reporting and Data Collection Objectives.

## Activity V.II.1.1

V.II.1.1	<p>Develop an information subsystem to collect incidents resulting in arrests and searches, using the National Incident-Based Reporting System as a reference. The printed forms used for such purposes (<b>PPR-853</b>, Plan to Carry Out Arrests/Detentions and Searches/Seizures, and <b>PPR-880</b>, Member of the PRPB Incident Report Narrative) will be also taken into consideration.</p> <p>Paragraphs 59, 60,61, and 64</p>
Due Date	12 months (once NIBRS and any other policies affecting System are approved and signed by Superintendent). (Estimated date: January 2017)
TCA Assessment	<p>All data gathering is still manual as of the end of March 2018. No change since April 2017.</p> <p>This subsystem will be contemplated in the National Incident-Based Reporting System included in the <b>Equal Protection and Non-Discrimination Compliance Area Action Plan</b>. The subsystem will be initially implemented in the Zones of Excellence and then gradually in all work units, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b>.</p> <p>As of March 2018, TCA reports that the system has been developed and is scheduled to be launched on or before August 2018 with the implementation of CAD.</p> <ul style="list-style-type: none"> <li>- PRPB informed that compliance with this activity will be in 2019.</li> <li>-The agency currently has a "Dispatch" system that sends information to the "Tiburon Desktop".</li> <li>-There is a system in place in the 205 buildings of the PRPB.</li> </ul>
Recommendations	TCA will continue to monitor implementation of system with TCA IT Expert
TCA Rating	<p>Timeframe [January 2017] <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan based on non-automated analysis.</p>

## Activity V.II.1.2

V.II.1.2	<p>When the PRPB incorporates the TCA and USDOJ recommendations into the General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures,” the Bureau will ensure that all MPRPBs will be required to obtain and document a person’s consent to a voluntary search of his or her person or vehicle unless a search without the person’s consent is legally justified.</p> <p>Paragraphs 77 and 83</p>
Due Date	August 2015
TCA Assessment	<p>In past reporting periods, the TCA conducted follow-up site visits to San Juan Drug Unit, Vehículos Hurtados (M/V Theft Unit) Divisions in Humacao, San Juan, Ponce; CIC’s in Fajardo, Humacao, Bayamon, Ponce; and Transit Division in Fajardo.</p> <p>During the period of December 2017 through March 2018, the TCA has inspected dozens of PPR-879’s “Consent to Search” at various CIC’s and Drug Units in Police Areas of Yauco, Humacao, and Aibonito, as well as in the police districts of Las Piedras and Bayamon West. The TCA found that consents to search are being properly recorded in PPR-879 forms.</p> <p>Most police districts report that it is not a practice of their officers to conduct consent searches. They leave searches to Specialized Units. The TCA found that Consents to Search are being properly documented on PPR-879.</p> <p>PRPB informs that there will be at 80% compliance in December / 2018.</p>
Recommendations	TCA will continue to visit police Areas and Districts/Precincts to ensure consent searches are being recorded and will continue to inspect PPR-879 forms.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan as this process is not automated and the TCA’s assessment is under way.</p>

## Activity V.II.1.3

V.II.1.3	<p>Upon the annual review of General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Warrants,” the PRPB will ensure that it maintains the requirement that MPRPBs continue informing the Command Center and a supervisor immediately after making an arrest, or as soon as possible.</p> <p>Paragraphs 66 and 83</p>
Due Date	December 2014
TCA Assessment	<p>In the past, the TCA inspected several sites, including PRPD CIC’s, Vehículos Hurtados (Auto Theft Unit), Drug Units, Transit Units, and Police Areas, and found that supervisors are being notified when an arrest was made.</p> <p>For the present period, December 2017 to March 2018, the TCA visited several Police Areas, districts and precincts in Aibonito, Yauco, Humacao, Las Piedras, Bayamon West, Santurce, Rio Piedras, Guaynabo, Dorado, and Juana Diaz where the TCA inspected dozens of arrest police reports (PPR-880 and PPR-82) and found that almost all indicated that a supervisor was notified via radio (or cellphone when radio or signal was not available) and responded to the scene. Supervisors signed the forms confirming their review.</p> <p>PRPB informs that they will be at 80% compliance in December / 2018.</p>
Recommendations	TCA will continue to monitor arrest reports to ensure continued compliance.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan.</p>



## Activity V.II.1.4

V.II.1.4	Develop an automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through Command Center and Radio Control communication channels that have been used to communicate the elements of probable cause used to make an arrest for a felony, obstruction of justice, or resisting an MPRPB. This system will be initially implemented in the Zones of Excellence and gradually in the subsequent work units, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b> .
Due Date	18 months once corresponding policy (NIBRS) is approved
TCA Assessment	<p>This sub-section is dependent on the <b>Information Systems and Technology Compliance Action Plan</b>, which is being worked on as of April 2017. This subsection is dependent on approval of NIBRS policy which is pending as of May 2017.</p> <p>Equipment has been purchased. System in development. Questionable status of training at SAEA. Projected operational date is unknown as of this date.</p>
Recommendations	TCA IT expert to continue to monitor compliance
TCA Rating	For rating, see the Information Systems and Technology Compliance Action Plan

## III. Review and Investigation Objectives:

## Activity V.III.1.1

V.III. 1.1	PRPB Supervisors must review each search and seizure report to evaluate and determine if the search and seizure was conducted in accordance with the provisions of PRPB policies and the Agreement
Due Date	Not Applicable
TCA Assessment	<p>For this reporting period, the TCA-CT randomly inspected several search warrant files, including applications and affidavits at several PRPB CIC's, Vehículos Hurtados (Auto Theft Unit), Homicide Units, Drug Units and Transit Units for compliance.</p> <p>All pertaining PPR forms inspected were completed and signed accordingly (PPR-853, PPR264, PR-879, PPR-468, PPR-880, PR-126, PPR-47, PPR-82, and PR-128, etc.) by supervisors and officers, and appeared to have been checked and approved by supervisors.</p> <p>For the reporting period of December 2017 through March 2018, the TCA visited CIC's and Drug Units in Police Areas of Yauco, Humacao, Aibonito, and Ponce and inspected tens of search warrant files containing affidavits, applications and reports. They all included reports indicating that the supervisors and an ADA reviewed the documentations and approved them. All pertaining PPR forms inspected were completed and signed accordingly (PPR-853, PPR264, PR-879, PPR-468, PPR-880, PR-126, PPR-47, PPR-82, and PR-128, etc.) by supervisors and officers, and appeared to have been checked and approved by supervisors. There was additional work in this reporting period 2018. Similar findings.</p>
Recommendations	TCA will continue to make visits to PRPD investigative units and inspect search warrant files for compliance.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan based on non-automated analysis.</p>

## Activity V.III.1.2

V.III. 1.2	<p>The PRPB will use the information subsystem to collect and review, on a monthly-basis, incidents that result in arrests and seizures. This subsystem will be contemplated in the National Incident-Based Reporting System included in the <b>Equal Protection and Non-Discrimination Compliance Area Action Plan</b>. The subsystem will be initially implemented in the Zones of Excellence and then gradually in all work units, as established in the <b>Information Systems and Technology Compliance Area Action Plan</b>.</p> <p>On a yearly basis, the PRPB will perform a complete analysis of the compiled information about searches and seizures conducted to identify significant trends with the purpose of correcting the deficiencies that are identified, pursuant to the law and generally accepted police practices.</p>
Due Date	On a yearly basis after approval of corresponding general orders.
TCA Assessment	This subsystem will be contemplated in the National Incident-Based Reporting System included in the <b>Equal Protection and Non-Discrimination Compliance Action Plan</b> . This sub-section is dependent on the <b>Information Systems and Technology Compliance Action Plan</b> , which is still being worked on as of the end of May 2017.
Recommendations	TCA will continue to monitor through its IT expert
TCA Rating	For rating see the Equal Protection and Non-Discrimination Compliance Action Plan.

## Activity V.III.1.3

V.III.1.3	Conduct an evaluation of the PRPB human resources, taking into account their status and the operational and administrative work performed by the employees, in order to identify existing needs and, later on, make decisions in order to determine the number of supervisors needed to meet the requirement. This activity will be part of the <b>Professionalization Compliance Area Action Plan</b> .
Due Date	N/A
TCA Assessment	This activity will be part of the Professionalization Compliance Area Action Plan, which is in progress as of May 2107.
Recommendations	
TCA Rating	For rating, see the Professionalization Compliance Area Action Plan.

## IV. Training Development Objectives:

## Activity V.IV.1.1

V.IV.1.1	<p>The Auxiliary Superintendency for Education and Training (SAEA) will create courses to train all MPRPBs through instructors certified by SAEA.</p> <p>The training courses are as follows:</p> <ul style="list-style-type: none"> <li>1.1.1. Training on General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons”; and</li> <li>1.1.2. Training on General Order [entitled] “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, in the collection thereof, and until it is presented at trial.</li> </ul>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<ul style="list-style-type: none"> <li>1.1.1 Training module on GO 600-615, Arrests and Summons, was reviewed and approved by the TCA; Training is at 95% Department-wide as of the end of February 2018 and retraining is on-going.</li> <li>1.1.2 This training module has not been created as of March 2018</li> </ul>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe <b>was met</b> for GO 600-615. Timeframe <b>was not met</b> for 1.1.2.</p> <p>The Commonwealth of Puerto Rico is <b>in full compliance</b> with this detailed step of the Action Plan for 1.1.1.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan for 1.1.1.</p>

## Activity V.IV.1.2

V.IV. 1.2	Review training on General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to conduct Searches and Seizures.”
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in <b>Appendix B</b> – Training Design Process.: April 27, 2016
TCA Assessment	The TCA reviewed and approved the training curriculums on this general order for new police cadets and for in-service training in May 2016. As of February 2018, training is on-going and is at 72% of the Department. 100% due in December 2018
Recommendations	See Section II of the Report regarding prioritization and uneven progress
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with the detailed step of the Action Plan.</p>

## Activity V.IV.1.3

V.IV.1.3	Develop a Training Program for Supervisors and High-Ranking Officers on arrest, search, and seizure policies, writing techniques, and report review.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>In May 2017, policy has been approved; and training is at 72% of the Department and is on-going.</p> <p>The TCA has reviewed signed class rosters at the PRPD Academy and at the Area Police Headquarters where training is also happening. The TCA has also audited a Search and Seizure class at the PRPD Academy. Training rosters submitted by the Academy to the TCA in March 2018.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with the detailed step of the Action Plan.</p>

## Activity V.IV.1.4

V.IV.1.4	Develop training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of the communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in <b>Appendix B</b> – Training Design Process
TCA Assessment	This sub-section is dependent on the <b>Information Systems and Technology Compliance Area Action Plan</b> , which is being worked on as of end of May 2018. However, training has been reviewed and approved by the TCA.
Recommendations	Continue to monitor through the TCA IT Expert
TCA Rating	For rating, see the Information Systems and Technology Compliance Area Action Plan



**V. Training Implementation Objectives:**  
**Activity V.V.1.1**

V.V.1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>MPRPBs</b> through its certified instructors. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the announcement issued by the SAEA and the training plan provided by each police area and auxiliary superintendency upon SAEA approval.</p> <p>The training to be implemented will cover the following topics:</p> <ol style="list-style-type: none"> <li>a. Training on General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons”; and</li> <li>b. Training on General Order [entitled] “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, in the collection thereof, and until it is presented at trial.</li> <li>c. Training on General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures.”</li> <li>d. Training Program for Supervisors and High-Ranking Officers on the policies, writing techniques, and review of arrests, searches, and seizures reports.</li> <li>e. Train personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of the communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.</li> <li>f.</li> </ol>
Due Date	<p>Training courses will be implemented as indicated in <b>Appendix C – Training Implementation Process</b>. (50% 12 months after approval of the general orders, and the remaining 50% 12 months thereafter)</p>

TCA Assessment	<ul style="list-style-type: none"> <li>a. The TCA has inspected signed training rosters at several Area Police stations and Zones of Excellence districts, as well as at the PRPD Academy. As of the end of February 2018, training on GO 600-615, Arrests and Summons, is at 95% (The remaining 5% untrained is due to leave of absences and otherwise officers not available for training).</li> <li>b. Approval of General Order “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” is still pending, therefore, no training has commenced as of March 2018.</li> <li>c. Training on GO 600-612, Search and Seizure, was at 72% as of the end of February 2018, well on its way to 100% which is due in December 2018. However, the current rate is 69% (lower than months ago)</li> <li>d. Training for Supervisors and High-Ranking Officers on GO 600-612, Search and Seizure, is at 72% in general, which includes supervisors and high-ranking officials.</li> <li>e. The policy for this training was approved October 20, 2016, however, no training has been scheduled as of March 2018, as the system is still in development.</li> </ul>
Recommendations	TCA to continue to monitor in conjunction with TCA IT expert.
TCA Rating	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with the detailed step of the Action Plan.</p>

## Activity V.V.1.2

V.V.1.2	<p>The PRPB will begin training <b>MPRPBs</b> who belong to the following work units:</p> <ul style="list-style-type: none"> <li>1.2.1. Criminal Investigation Corps (SAIC);</li> <li>1.2.2. Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</li> <li>1.2.3. Bureau of Vehicle Theft Investigations (SAIC);</li> <li>1.2.4. Arrests and Extraditions Division (SAIC);</li> <li>1.2.5. Bureau of Internal Affairs (SARP);</li> <li>1.2.6. Members of Joint Forces (SAIC);</li> <li>1.2.7. Force Investigation Unit (FIU) (SARP);</li> <li>1.2.8. Personnel assigned to Zones of Excellence (SAOC);</li> <li>1.2.9. Division of Tactical Operations (DTO) and Division of Special Weapons and Tactics (SWAT) (SAOC); and</li> <li>1.2.10. Bureau of Highway Patrols, Motorized Unit, Command Centers, and Radio Control (SAOC).</li> </ul>
Due Date	
TCA Assessment	<p>The TCA has visited several PRPD sites (CIC's, Narcotics Unit, Auto Theft Units, Highway Patrol, Zones of Excellence, among others) during the months of December 2017 through March 2018 and has learned that PRPD is prioritizing these units for training on Search and Seizures and Arrests and Summons.</p> <p>The Units inspected by the TCA this period are generally on schedule with this training requirement.</p>
Recommendations	TCA to continue to monitor
Compliance	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with the detailed step of the Action Plan.</p>

## Activity V.V.1.3

Activity 1.3	<p>The PRPB will continue training <b>MPRPBs</b> who belong to Districts, Precincts, and auxiliary superintendencies, taking the following into consideration:</p> <ul style="list-style-type: none"> <li>1.3.1 number of incidents per location;</li> <li>1.3.2 number of incidents of domestic violence;</li> <li>1.3.3 number of interventions with intoxicated persons;</li> <li>1.3.4 number of arrests made;</li> <li>1.3.5 number of tickets from police interventions;</li> <li>1.3.6 number of complaints of incidents on the following grounds: assault; use of unjustified violence; physical or psychological coercion; and assault against an MPRPB;</li> <li>1.3.7 distance from support units;</li> <li>1.3.8 frequency of occurrence of demonstrations (i.e. mass protests); and</li> <li>1.3.9 places inside the district and precinct that have been identified as having a high compiled criminal incidence.</li> </ul>
Due Date	
TCA Assessment	<p>Training was concentrated at Specialized Units as of May 2017. However, as of March 2018, training has spread Department-wide regarding GO's under the Search and Seizure Action Plan. The PRPB has complied with the 50% training goal and is on its way to comply with the 100% goal.</p>
Recommendations	TCA to continue monitoring
Compliance	<p>Timeframe <b>was met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with the detailed step of the Action Plan.</p>

## VI. Feedback Committee Creation Objectives:

## Activity V.VI.1.1

Activity 1.1	Create a protocol to receive comments regularly from the offices of district attorneys, public defenders, and judges of the Commonwealth of Puerto Rico regarding the quality of the investigations, arrests, court testimony, and indications of improper conduct by MPRPBs.
Due Date	May, 2016
TCA Assessment	The TCA received a Protocol draft from PRPD on May 31, 2016. <a href="#">Compliance with the Activity</a> : 09/30/2018.
Recommendations	TCA to monitor
Compliance	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> .

## II. Self-Assessment Objectives:

## Activity V.VII.1.1

V.VII. 1.1	<p>PRPB, through the Office of the Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) police areas and auxiliary superintendencies, such as:</p> <ol style="list-style-type: none"> <li>a. Using the training plan and training announcement issued by the SAEA for each of the courses to identify their start date, the time police areas and the corresponding auxiliary superintendencies have to complete the training, and the work units that will be given training priority. The training plans for each of the thirteen (13) police areas and auxiliary superintendencies, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</li> <li>b. Conducting random visits to each of the thirteen (13) police areas and the corresponding auxiliary superintendencies using the training plan approved by the SAEA in order to guarantee that PRPB personnel are being trained in accordance with the syllabi, instructor handbooks, presentation, and assessment methodology approved by the TCA.</li> <li>c. Visiting each of the thirteen (13) police areas and the corresponding auxiliary superintendencies and conducting random reviews of files to verify that PPR-264, "Rights for Suspects in Custody Form," has been completed in each incident where there has been an interrogation, in accordance with the provisions of General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons."</li> </ol>
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	<p>d. Visiting each of the thirteen (13) police areas and the corresponding auxiliary superintendencies and conducting random reviews of files to verify that PPR-82, "Conditions of People Arrested and Placed in a Cell," has been completed in each incident where an arrest and placement in a cell has been reported, in accordance with the provisions of General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons."</p> <p>e. Visiting each of the thirteen (13) police areas and conducting random reviews of files to verify that PPR-126, "Seized Property Inventory," has been completed in each incident where property was seized as a result of either an arrest or a search, and that the seizure has been reported in accordance with the provisions of General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to Conduct Searches and Seizures."</p>
Due Date	Not Applicable
TCA Assessment	<p>The TCA has been informed by the Reform Unit that it performs periodic audits of Units and Districts to inspect for training, and proper filling of PRPD forms, such as PPR-126, PPR-468, PPR-264, PPR-853, PPR-82, etc. TCA was present in February 2017 when a Reform Unit Lt. had conversation with Bayamon Auto Theft Unit Director about an audit the Lt. had conducted the week before at his unit. For this reporting period, December 2017 through March 2018, the Reform Unit continues to attend site visits with the TCA.</p> <p>a. Members of the PRPB have been attending training on these general orders (Search and Seizure Action Plan). TCA has verified that PRPD has attained the 50% goal on time and that it is on schedule to reach 100% on time as of this date.</p> <p>b. The TCA has been informed by the Reform Unit that it performs periodic audits of Units and Districts to inspect for training, and proper filling of PRPD forms, such as PPR-126, PPR-468, PPR-264, PPR-853, PPR-82, etc.</p> <p>c. The TCA has been informed by the Reform Unit that it has performed audits of various PRPD Districts/Precincts and Specialized Units. However, the process was cut short somewhat due to the two major hurricanes that heavily affected the island and many of the PRPB</p>

	<p>resources during the month of September 2017 and caused the government to declare a state of emergency that lasted for several months.</p> <p>d. The TCA has inspected dozens of PPR-82 along with members of the Reform Unit during this period, December 2017 through March 2018. They were well completed for the most part. The only faults found were that some in some units were not properly signed by the supervisors. This was called to the attention of the Directors and the Reform Unit for corrective action.</p> <p>e. The TCA has inspected dozens of PPR-126, "Seized Property Inventory" along with members of the Reform Unit during this period, December 2017 through March 2018. They were well completed.</p>
Recommendations	TCA Monitor to continue to monitor
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b>.</p>



## Compliance Tables for Equal Protection and Non-Discrimination Action Plan

### Section VI. Equal Protection and Non-Discrimination Requirements: 80 to 100

#### I. Policy and Procedure Development Objectives:

##### Activity III.I.1.1

VI.I 1.1	Collaborate in the review of Regulation 4216, "Puerto Rico Police Department Personnel Regulation," so that it establishes mechanisms that guarantee equal protection of the law in the recruitment process. <b>This policy will form part of the Recruitment, Selection, and Hiring Compliance Area Action Plan.</b>
Due Date	
TCA Assessment	See Recruitment Action Plan
Recommendations	n/a
TCA Rating	For rating, see Recruitment Action Plan

## Activity VI.I.1.2

VI.I 1.2	Collaborate in the review of General Order 2008-3 entitled “Rules and Procedures for the Evaluation of Members of the Police Department and Classified Personnel.” The evaluation process will establish criteria to evaluate MPRPBs in relation to whether they provide unbiased services. This policy will form part of the Supervision and Management Compliance Area Action Plan.
Due Date	
TCA Assessment	See Supervision Action Plan. For this policy, P. 113 will be activated.
Recommendations	
TCA Rating	For rating, see Supervision Action Plan

**Activity VI.I.1.3**

VI.I 1.3	Collaborate in the review of the “Regulation to Administer Promotional Exams in the Puerto Rico Police Department” so that these requirements are based on the knowledge, skills, and ability needed to perform administrative and supervisory tasks successfully in the principal substantive areas corresponding to the rank to which [a candidate] aspires to be promoted. This policy will form part of the Professionalization Compliance Area Action Plan.
Due Date	
TCA Assessment	See Professionalization. Regulation was sent for review on June 30, 2018
Recommendations	
TCA Rating	For rating, see Professionalization Action Plan

## Activity VI.I.1.4

VI.I 1.4	Review Regulation 6508 entitled "Regulation to Establish the Public Policy and Procedure to File Sexual Harassment Complaints in the Puerto Rico Police Department." This regulation will be amended and known as "Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation."
Due Date	March 31, 2015 <u>Current Effective Date</u> : 02/29/2016
TCA Assessment	<p>Focus is now on training and implementation</p> <p>The TCA is aware that the USDOJ found the original assessment and rating of full compliance objectionable. PRPB has not approved a harassment regulation that complies with Title VII, the Settlement Agreement, or the TCA's resolution of the USDOJ objections.</p> <p><u>Training Name</u>: VEI-8728</p> <p>-The PRPB reports that virtual course began on 06/29/2018. -Also, it was indicated that the training was sent for review on June 30, 2018</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.5

VI.I 1.5	Develop the PRPB Regulation to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation. It will cover PRPB processes for interacting with citizens  Paragraphs 80,81, 84, 87,88,113,159, 163,167,168, 171, 172, 173, 177-181, and 205
Due Date	March 31, 2015 <u>Current Effective Date:</u> 04/13/2016
TCA Assessment	Focus is now on training and implementation -The PRPB reports that virtual course began on 06/29/2018. This training is the same as indicated in the previous activity.
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VI.I.1.6

VI.I 1.6	<p>Develop General Order for the Investigation of Domestic Violence Incidents, which will repeal General Order 2006-4 entitled "Policy and Procedure for the Criminal Investigation of Domestic Violence Incidents," to establish clear and detailed guidelines from a victim-centered approach.</p> <p>Paragraphs 83, 98-100, 111(D), 111(E), and 113</p>
Due Date	June 2015. <u>Current Effective Date</u> : 04/21/2016
TCA Assessment	<p>Focus is now on training and implementation.</p> <ul style="list-style-type: none"> <li>-General Order was published on the web page on July 30, 2018.</li> <li>-The version of the general order in its second revision and it has already been signed by the Commissioner. It is not indicated if it has been published.</li> <li>-The information for this policy was revised working session in July/2018.</li> <li>-The PRPB informed that training has a duration of 8.0 hours.</li> <li>-The version of the general order in its second revision, has already been signed by the Commissioner. It is not indicated if it has been published.</li> <li>-TCA highlights the importance of this training: The experience with the Office of the Women's Advocate was that the victims do not trust the system. The statistics published in the Status Report tell a similar story.</li> <li>-The PRPB reported that training was 58% compliance in July 2018. However, the Status Report indicates that the rate is 38%. The other trainings will be given in a virtual way (they will end in October / 2019).</li> <li>-The specialized agents are the ones that channel the help to the victim. They intervene, guide and refer. For this, they have a directory of agencies and organizations that deal with the issue.</li> <li>-Call average January / 2018 to July / 2018: 500 (2.3 daily calls).</li> </ul>
Recommendations	The TCA will continue to conduct annual reviews of the policy

TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan
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## Activity VI.I.1.7

VI.I 1.7	Review General Order 2006-5 entitled “Reorganization of the Puerto Rico Police Department Domestic Violence Division.”  Paragraphs 83, 98-100, 111(D), 111(E), and 113
Due Date	June 2015 <u>Current Effective Date</u> : 04/21/2016
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct annual reviews of the policy. See comments above in 1.7
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan



## Activity VI.I.1.8

VI.I 1.8	<p>Develop an Administrative Order for the Investigation of Domestic Violence Incidents Involving PRPB Employees, which will describe the processes to be followed when a PRPB employee is involved in a domestic violence incident.</p> <p>Paragraphs 83, 98-100, 111(D), 111(E), and 113</p>
Due Date	June 2015 <u>Current Effective Date</u> : 11/29/2016
TCA Assessment	<p>Focus is now on training and implementation</p> <ul style="list-style-type: none"> <li>-The information for this policy was revised working session in July/2018.</li> <li>-The PRPB informed that training has a duration of 8.0 hours.</li> <li>-The version of the general order in its second revision, has already been signed by the Commissioner. It is not indicated if it has been published.</li> <li>-TCA highlights the importance of this training: The experience with the Office of the Women's Advocate was that the victims do not trust the system. The statistics published in the Status Report tell a similar story.</li> <li>-The PRPB reported that training was 58% compliance in July 2018. However, the Status Report indicates that the rate is 38%. The other trainings will be given in a virtual way (they will end in October / 2019).</li> <li>-The specialized agents are the ones that channel the help to the victim. They intervene, guide and refer. For this, they have a directory of agencies and organizations that deal with the issue.</li> <li>-Call average January / 2018 to July / 2018: 500 (2.3 daily calls).</li> </ul>
Recommendations	The TCA will continue to conduct annual reviews of the policy

TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan
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## Activity VI.I.1.9

VI.I 1.9	<p>Review General Order 2007-1 entitled “Duties and Responsibilities of Sexual Crimes and Child Abuse Divisions” to create a General Order for the Investigation of Sexual Assault Incidents establishing clear and detailed guidelines for investigation processes from a victim-centered approach. <b>The processes to operate the sexual crimes hotline island-wide, 24 hours a day, 7 days a week will also be established.</b></p> <p>Paragraphs 93-97, 99, 205, 111(D), 111(E), and 113</p>
Due Date	September 2015 <u>Current Effective Date:</u> 10/02/2017
TCA Assessment	<p>On October 2, 2017, the Police Commissioner signed this Order.</p> <p>Focus is now on training and implementation</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.10

VI.I 1.10	<p>Develop an Administrative Order to Investigate Sexual Assault Incidents for cases in which an incident of sexual assault involving PRPB employees occurs.</p> <p>Paragraphs 93-97, 99, 205, 111(D), 111(E), and 113</p>
Due Date	September 2015
TCA Assessment	<p>On August 8, 2017, the Police Commissioner signed the first revision of this policy.</p> <p>Focus is now on training and implementation.</p> <p><u>Compliance with 50% of the training: 03/07/2018 (74%)</u></p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.11

VI.I 1.11	<p>Develop General Order for Interaction with Transgender and Transsexual People to provide guidelines to address matters related to this group, including transportation, booking, custody, and medical treatment.</p> <p>Paragraphs 89, 38, 113, and 205</p>
Due Date	October 2015
TCA Assessment	<p>Focus is now on training and implementation. Training rate is at 83%.</p> <p>On April 23, 2018 took place the second review of this policy.</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.12

VI.I 1.12	<p>Develop General Order for Interaction with Foreigners</p> <p>Paragraphs 87-88,113,159,163, 167-168, 171-173, 177-181, and 205</p>
Due Date	December 2015 <u>Current Effective Date:</u> 06/20/2018
TCA Assessment	<p>Focus is now on training and implementation</p> <ul style="list-style-type: none"> <li>-On April 23, 2018, the second revision of this order was carried out.</li> <li>-PRPB reported that the training of this general order is available in an online course from 06/29/2018.</li> <li>-In the month of July / 2018, a meeting was held with the high level of the PRPB (including the PRPB Commissioner), the USDOJ, PRDOJ, TCA and at least 3 representatives of the Dominican community were present (among them the Vice Consul of the Dominican Republic, the representative of the CIC of Fajardo).</li> <li>-This meeting was held to clarify the changes in the policy.</li> <li>-The representative of the USDOJ explained that the change in policy occurs as a consequence of the federal law that prohibits a state law from placing restrictions on cooperation and/or exchange of information with federal authorities (e.g. ICE).</li> <li>-If so, the federal funds received by the agency are put at risk.</li> <li>-Nevertheless, the general order does not impose the express obligation that the agent inform the federal authorities about the migratory status of the person intervened (which may include a victim). This is so, so that the agent does not become an ICE informant. Yet, the police inform the consulate when a foreigner has been arrested.</li> </ul>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.13

VI.I 1.13	Review General Order 2000-3 entitled “Controls on the Use, Filing, and Final Disposition of Incident Reports (NIBRS) at the Puerto Rico Police Department.”  Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	August 2015 (Activity No. 13)
TCA Assessment	Focus is now on training and implementation. <u>Current Effective Date:</u> 09/01/2017
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VI.I.1.14

VI.I 1.14	Develop General Order for Hate Crime Data Collection and Management.  Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	April 2016 (Activity No. 14)
TCA Assessment	Focus is now on training and implementation. <u>Current Effective Date:</u> 10/13/2016
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan



## Activity VI.I.1.15

VI.I 1.15	<p>Develop Hate Crime Management and Investigation Manual. The PRPB will use the FBI Hate Crime Data Collection [Guidelines and Training] Manual as a reference.</p> <p>Paragraphs 83, 85, 86, 91, 113, and 205</p>
Due Date	April 2016 (Activity No. 15) <u>Current Effective Date:</u> 10/13/2016
TCA Assessment	Focus is now on training and implementation
Recommendations	<p>The TCA will continue to conduct annual reviews of the policy</p> <p>-PRPB reported that the online course is available from 06/29/2018.</p>
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.I.1.16

VI.I 1.16	<p>Develop an Evaluation Protocol on Compliance with Best Practices for Operational Programs to review documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints.</p> <p>Paragraphs 83, 85, 86, 91, 113, and 205</p>
Due Date	June 2016 (Activity No. 16) <u>Compliance with the Activity:</u> 09/30/2018
TCA Assessment	-The Protocol was sent as "new policy" at the end of September / 2018. It is being reviewed this month (October / 2018).
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met initially</b>. However, Police Commissioner requested substantial change to policy.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity VI.I.1.17

VI.I 1.17	Review Special Order 2006-2 entitled “Rules and Procedures for the Criminal Investigation of Institutional Abuse and/or Negligence Complaints Related to Minors in Juvenile Correctional Institutions.”  Paragraphs 83, 85-86, 91, 113, and 205
Due Date	August 2016
TCA Assessment	-The agencies involved in drafting the document withdrew from the negotiations. In particular, the Department of Corrections objected to signing this MOU. -This policy was presented for review 09/30/2018. It is being reviewed at this time (October / 2018).
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VI.I.1.18

VI.I 1.18	<p>Review “Interagency Agreement for the Investigation of Allegations of Abuse in Juvenile Institutions.”</p> <p>Paragraphs 92, 111 (D, E), and 113</p>
Due Date	August 2016
TCA Assessment	<p>PRPB and the other agencies have not finalized and implemented the MOU</p> <p>-The agencies involved in drafting the document withdrew from the negotiations. In particular, the Department of Corrections objected to signing this MOU.</p> <p>-This policy was presented for review 09/30/2018. It is being reviewed at this time (October / 2018).</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

II. Training Development Objectives:  
Activity VI.II.1.1

VI.II. 1.1	<p>1.1 The Auxiliary Superintendency for Education and Training will create courses to train all MPRPBs through certified instructors. The training courses are as follows:</p> <p>1.1.1 Training on the Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation (Table 8), and</p> <p>1.1.2 PRPB Regulation to Establish Police Practices Free of Discrimination, Harassment, Improper Sexual Conduct, and Retaliation</p> <p>Paragraphs 80-81, 87-88, 144, 159,163, 167-168, 171-173, 177-181, and 205</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>The TCA reviewed and approved the training materials.</p> <p>For course 1.1.1 (the internal regulation), the regulation was signed by the Police Commissioner on February 2016.</p> <p>Training should have commenced on September 2016. Virtual training was scheduled for September 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>-PRPB informed that, this training is available on the virtual platform from 06/29/2018. No information regarding compliance rate.</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.II.1.2

VI.II. 1.1	<p>1.1 The Auxiliary Superintendency for Education and Training will create courses to train all MPRPBs through certified instructors. The training courses are as follows:</p> <p>1.1.1 Training on the Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation (Table 8), and</p> <p>1.1.2 PRPB Regulation to Establish Police Practices Free of Discrimination, Harassment, Improper Sexual Conduct, and Retaliation</p> <p>Paragraphs 80-81, 87-88, 144, 159,163, 167-168, 171-173, 177-181, and 205</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>Training should have commenced on September 2016. Virtual training was scheduled for September 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>-PRPB informed that, this training is available on the virtual platform from 06/29/2018. No information regarding compliance rate.</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.II.1.3

VI.II. 1.3	1.1.3 Training on Investigation of Domestic Violence Incidents.  Paragraphs 93, 98, 99, and 100
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	The TCA reviewed and approved the training materials  -PRPB informed that, trainings for trainers began on 08/21/2018 (General Order 627: Domestic Violence Incident Investigation). -This training started on 12/12/2016. -At 10/16/2018 expected: 50%. However, the current compliance rate was 36% as per Status Report -At 10/16/2019: 100%.
Recommendations	The TCA will continue to conduct annual reviews of the training materials
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VI.II.1.4

VI.II. 1.4	<p>Training on Investigation of Sexual Assault Incidents.</p> <p>Paragraphs 93 through 99</p>
Due Date	<p>Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.</p>
TCA Assessment	<p>On August 31, 2017, the Police Superintendent signed the policy.</p> <p>The TCA reviewed and approved the training materials</p> <p>-At 03/07/2018: 50%.</p> <p>-At 03/07/2019: 100%.</p>
Recommendations	<p>The TCA will continue to conduct annual reviews of the training materials</p>
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>



## Activity VI.II.1.5

VI.II. 1.5	<p>Training on Identification of and Intervention with People from the Transgender and Transsexual Community.</p> <p>Paragraph 89.</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>The TCA reviewed and approved the training materials</p> <p>-PRPB informed that, trainings for trainers began on 06/10/2017.</p> <p>-At 10/26/2019: 100%.</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.II.1.6

VI.II. 1.6	<p>Training on Intervention with Foreigners</p> <p>Paragraph 87,88, 159, 163, 167, 168, 171-173, 177-181, and 205</p>
Due Date	<p>Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.</p>
TCA Assessment	<p>The TCA reviewed and approved the training materials.</p> <p>Policy was approved on May 26, 2016.</p> <p>Training should have commenced through virtual training which was scheduled for December 2016.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p> <p>PRPB reported that they are not in compliance.</p>
Recommendations	<p>The TCA will continue to conduct annual reviews of the training materials</p>
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

Observations:

## Activity VI.II.1.7

VI.II. 1.7	1.1.8 Training on Techniques to Collect Demographic Information.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	See IT Action Plan. -The training required in this activity will be ready in December / 2018.
Recommendations	
TCA Rating	For rating, see IT Action Plan

## Activity VI.II.1.8

VI.II. 1.8	Training on Techniques to Collect Demographic Information
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	Policy has not been approved. No training materials. -The training required in this activity will be ready in December / 2018. This topic will be included in NIBRS training.
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VI.II.1.9

VI.II. 1.9	1.1.9 Training on Hate Crime Data Collection, Management, and Investigation.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>Policy was approved on October 13, 2016.</p> <p>Virtual training was scheduled for May 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>-PRPB informed that, this training is available on the virtual platform from 06/29/2018.</p>
Recommendations	
Compliance	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.II.1.10

VI.II. 1.10	Training on Investigation of Incidents at Juvenile Institutions Related to Complaints of Institutional Abuse and/or Negligence against Minors.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process.
TCA Assessment	<p>-PRPB informed that, this training is available on the virtual platform from 06/29/2018.</p> <p>- the training was being offered in Ponce and Humacao.</p> <p>-At 12/03/2019: 50% (projected compliance date)</p> <p>-At 12/03/2020: 100% (projected compliance date)</p>
Recommendations	
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.II.1.11

VI.II. 1.11	Multitopic training
Due Date	6 months after approval and signing of the “ <i>Regulation to Prohibit Discrimination, Harassment, and Retaliation</i> ” by superintendent (regulation was approved on April 13, 2016)
TCA Assessment	<p>Focus is now on implementation</p> <p>Policies were approved in 2016.</p> <p>Virtual training was scheduled for November 2016.</p> <p>The PRPB requested an extension to deliver the training material by January 2019</p> <p>-This activity affects the activity 1.2.3 Training for Employees (page 86).</p> <p>-In this training will be included the REA-624 and the training of the GO 626 (1.1.6, page 82).</p> <p>-Also, it will be evaluated to include activities 2.3.5 and 2.3.7 (page 248)</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials
Compliance	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan. Once the extension is granted, the TCA will update the rating</p>

## Activity VI.III.1.1

VI.III. 1.1	<p>To provide police services in an equitable, respectful, and unbiased manner; foster greater professionalization; promote more trust in the community; and prevent more crime, PRPB will implement training , new policies and procedures, equipment, technologies, operational and administrative strategies, among others.</p> <p>The training to be implemented will cover the following topics:</p> <ul style="list-style-type: none"> <li>a. training on Regulation to Prohibit Discrimination, Harassment, and Retaliation (Table 21)</li> <li>b. training on investigation of domestic violence incidents (Table 21)</li> <li>c. training on investigation of sexual assault incidents (Table 21)</li> <li>d. training on gender identification and expression in the transgender and transsexual community (Table 20)</li> <li>e. training on intervention with foreigners (Table 21)</li> <li>f. use of automated system to prepare electronic incident reports (NIBRS), as established in the Information Systems and Technology Compliance Area Action Plan (Table 21)</li> <li>g. more effective techniques to collect demographic information accurately (Table 21)</li> <li>h. training on hate crime data collection, management, and investigation (Table 21)</li> <li>i. training on investigation of incidents at juvenile institutions regarding complaints of institutional abuse and/or negligence against minors (Table 20)</li> <li>j. multitopic training aimed at MPRPBs (Table 21)</li> <li>k. Multitopic training aimed at civilian employees of the PRPB (Table 21)</li> </ul>
Due Date	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel through its certified instructors.</p> <p>The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed.</p>



TCA Assessment	Focus is now on implementation
Recommendations	
Compliance	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VI.III.1.4

VI.III. 1.4	Sexual Crimes Hotline to answer calls island-wide 24 hours a day, 7 days a week. The Hotline will be implemented in accordance with the provisions and guidelines adopted in the Sexual Crimes General Order.
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation. There were 965 calls in 2017 based on PRPB reports. -At 04/10/2016: 100%
Recommendations	Next steps are to audit hotline information
Compliance	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VI.III.1.5

VI.III. 1.4	The SASG, through the Medical Services Office and the Division of Psychology of the PRPB, will implement the corresponding processes to evaluate the competence of MPRPBs who have been involved in sexual assault or domestic violence incidents and determine if their physical and/or mental state warrants disarming or rearming them, according to the corresponding policies of the PRPB.
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation
Recommendations	Next steps are to audit PRPB documentation
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.III.1.6

VI.III. 1.6	The SASG will establish guidelines and periodically evaluate the effectiveness of the programs, operational plans, initiatives, and activities, as well as the efficiency of its processes. The duties of the corresponding work unit at the SASG will include studying, analyzing, and evaluating work processes in PRPB units, proposing and developing measurement indicators for the service areas of the PRPB, and measuring and documenting the same. The corresponding work unit at the SASG must make recommendations to the superintendent about actions that must be taken to correct the identified deficiencies, taking into consideration generally accepted police practices .
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation. Under current revision.
Recommendations	Next steps are to audit PRPB documentation. To date, the TCA has not seen any protocol for evaluation in compliance with the appropriate schedule
Compliance	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VI.IV.1.1

VI.III. 1.6	Develop crime rate data collection system using the criminal incident and resource allocation reporting system as a starting point to prepare electronic incident reports. This system is already being used in the Utuado Zone of Excellence as part of a pilot plan to evaluate its operation and to improve its processes. It will eventually be implemented in the remaining Zones of Excellence and other units as established in the Information Systems and Technology Compliance Area Action Plan. (Table 25)
Due Date	12 months (once NIBRS and any other policies affecting System are ready) (policy was approved on January 1, 2016)
TCA Assessment	See IT Action Plan
Recommendations	
Compliance	For rating, see IT Action Plan

## Compliance Tables for Recruitment Action Plan

### Section III. Recruitment, Selection and Hiring Requirements: 101 to 108

#### I. Policy and Procedure Development Objectives:

##### Activity VII.I.1.1

VII.I.1.1	<p>Collaborate in the development of the <b>General Order establishing the profile of PRPB officers</b> as a guideline for the selection of the best suited and most qualified candidates. This profile consists of a description of the abilities, attitudes, and aptitudes that a candidate will need to hold the rank of officer efficiently and is made up of a set of standards describing the following:</p> <ul style="list-style-type: none"> <li>• basic knowledge candidates must have to be an MPRPB;</li> <li>• abilities candidates must possess;</li> <li>• attitudes candidates must adopt;</li> <li>• aptitudes candidates will apply to demonstrate their competence;</li> <li>• outcomes officers will obtain in the performance of their duties;</li> <li>• contexts in which said performance takes place.</li> </ul> <p>This set of standards is based on the ideal performance of an PRPB officer. <b>This General Order is included in the Professionalization Compliance Area Action Plan.</b></p>
Due Date	September 2016
TCA Assessment	TCA has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
Recommendations	The PRPB must make this a priority
TCA Rating	<p>Timeframe <b>was not met.</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity VII.I.1.2

VII.I.1.2	Collaborate in the review of Public Law No. 53-1996, as amended, Puerto Rico Police Department Act, to adapt it to the requirements of the Agreement for the Sustainable Reform of the Puerto Rico Police Department and to require an associate degree or its equivalent as part of the requirements for MPRPB candidates. This activity was completed through Public Law No. 112 of July 30, 2014, which amended the PRPB Act. This policy will form part of the <b>Policy and Procedure Compliance Area Action Plan</b> .
Due Date	November 2017
TCA Assessment	Due to new DPS law, Public Law No. 53 has been vacated. Pending review.
Recommendations	TCA has not finished reviewing the General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	<p>Timeframe <b>was not met.</b> Policy was submitted on July 2018. Memorandum of approval should be petitioned soon.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity VII.I.1.3

VII.I.1.3	Collaborate in the development of a <b>draft bill to amend Public Law No. 53 of June 10, 1996, as amended, better known as the “Puerto Rico Police Department Act”</b> to establish the probationary period evaluation requirements and the fact that hiring a person for the rank of cadet is provisional until the candidate completes the training, which will include 800 hours of field training. Once the above-mentioned requirements are met, the person will be promoted to the rank of officer. This activity is included in the <b>Policy and Procedure Compliance Area Action Plan</b> .
Due Date	March 2017
TCA Assessment	Due to new DPS law, Public Law No. 53 has been vacated. Pending review.
Recommendations	TCA assessment has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	<p>Timeframe <b>was not met.</b> Policy was submitted on July 2018. Memorandum of approval should be petitioned soon.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>



## Activity VII.I.1.4

VII.I.1.4	Collaborate in the review of Regulations Number 4216, "PR Police Department Personnel Regulations," to establish eligibility criteria in the MPRPB candidate investigation process that will include a psychological evaluation, credit history, criminal record, employment history, use and abuse of controlled substances (including anabolic steroids), ability to work with diverse communities, and impartiality. To such effect, any candidate who meets the selection requirements and has passed each phase of the recruitment process satisfactorily will be included in a roster of eligible candidates for the rank of cadet. The roster of eligible candidates will be in effect for six (6) months. This policy will form part of the <b>Policies and Procedures Compliance Area Action Plan</b> .
Due Date	November 2017
TCA Assessment	Time period for eligible candidate list is still under discussion by the PRPB and DOJ. Pending review.
Recommendations	TCA assessment has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	Timeframe <b>was met</b> .  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this step of the Action Plan

## Activity VII.I.1.5

VII.I.1.5	Collaborate in the review of <b>Regulations No. 6403, "Puerto Rico Police Department Officials and Employees Controlled Substance Detection Program Regulations,"</b> to include the process to have PRPB candidates undergo controlled substance detection tests. <b>This activity is part of the Administrative Complaints Action Plan.</b>
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity VII.I.1.6

VII.I.1.6	Develop a <b>General Order for the MPRPB Recruitment Program</b> establishing clear guidelines and objectives to recruit MPRPB candidates. This General Order will establish the responsibilities of the PRPB Division of Recruitment director, whose duties are equivalent to those of the recruitment officer as established in the Agreement. The director will be responsible for implementing the <b>MPRPB Recruitment Program</b> . (Table 1)
Due Date	September 2016
TCA Assessment	<p>Decision to have a recruit class in 2018 has not yet been determined by the PRPB. Impact of General Order remains to be seen.</p> <p>Partial Compliance. After further review by the TCA Core Team, it is recommended that the PRPD receive partial compliance. Full compliance was not accomplished because the Department of Public Safety has not determined under Article 2.07 (Members of the Bureau of the Police: Income and Re-entry. [The Secretary shall establish, by regulation, the requisites of entry and re-entry of every member of the Bureau of the Police and shall have the authority to understand such matters) if the Puerto Rico Police Bureau was going to maintain a recruitment section and under what requirements.</p> <p>Former Commissioner Fraley reports that she had several meetings to determine what tasks of Human Resources would remain with the Commissioner and the Puerto Rico Police Bureau. She stated that she felt that recruitment should remain with the Puerto Rico Police Bureau and they would do the recruiting for regular police officers (cadets) and auxiliary police officers. The policy has been developed, but the Department of Public Safety has not yet made a final decision.</p> <p>-a review of the GO was sent for review on 09/30/2018, 2018 in "redline.  -The Strategic Recruitment Plan was sent as an annex to the general order.  -As a result of this general order, a committee composed of components of the PRPB will be developed (e.g. press, academy, commissioner's office)  -As part of the discussion, the PRPB reported that it is planning to carry out an Academy of 400 cadets, as part of the recommendations given P. 13's the study.</p>

Recommendations	The Department of Public Safety needs to make a final decision on this General Order.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VII.I.1.6

VII.I.1.7	The <b>recruitment policies for undercover officers</b> will be reviewed to guarantee compliance with the requirements established in the Agreement for the Sustainable Reform of the PRPB. This procedure will be established by the superintendent because of the nature of their duties, the security measures that will be taken, and the danger of the investigations conducted by said personnel. The review and implementation of this policy will, therefore, be strictly confidential. (Table 2)
Due Date	May 2017
TCA Assessment	Non-Compliance. The TCA Core Team reviewed a policy in regard to the recruitment for undercover officers in January 2018. The TCA denied additional extensions. Policy should be finalized by April 2018.
Recommendations	See above
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## I. Training Development Objectives:

## Activity VII.II.1.1

VII.II.1.1	<p>The SAEA will <b>develop a multi-topic training course</b> aimed at the personnel who will work on the various phases of the recruitment process, which will address the following topics:</p> <p>1.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements and rules and procedures to follow in each phase of the process);</p> <p>1.2.1 phases of recruitment process;</p> <p>1.3.1 guidance on effective recruitment interview techniques;</p> <p>1.4.1 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>1.5.1 candidate profile;</p> <p>1.6.1 informational guide on recruitment process; and</p> <p>1.7.1 techniques to interview members of community organizations. (Table 3)</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	Given that the training course has not yet been developed, the TCA has not reviewed this multi-topic training course aimed at personnel who will work on the various phases of the recruitment process.
Recommendations	The TCA will continue training reviews in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VII.II.1.2

VII.II.1.2	The SAEA will <b>create a field investigations training course</b> together with personnel from the Office of Safety and Protection assigned to SAIC in order to train investigators on criminal record investigation techniques and PRPB candidate recruitment procedures to continue professionalizing the personnel and to strengthen the community's trust and help provide police services in an equitable, respectful, and unbiased manner in accordance with generally accepted police practices. (Table 4)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b>
TCA Assessment	Given that the training course has not yet been developed, the TCA has not reviewed this
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## II. Implementation Objectives:

## Activity VII.III.1.1

VII.III.1.1	The recruitment officer of the PRPB superintendent will be the Division of Recruitment director, who will be responsible for implementing the <b>General Order for the PRPB Recruitment Program</b> together with a task force that includes officers with various work experiences and for establishing alliances with historically unrepresented groups in the PRPB. (Table 5)
Due Date	August 2017
TCA Assessment	Partial Compliance. After further review by the TCA Core Team, it is recommended that the PRPD receive partial compliance. Full compliance was not accomplished because the Department of Public Safety has not determined under Article 2.07 (Members of the Bureau of the Police: Income and Re-entry. [The Secretary shall establish, by regulation, the requisites of entry and re-entry of every member of the Bureau of the Police and shall have the authority to understand such matters) if the Puerto Rico Police Bureau was going to maintain a recruitment section and under what requirements.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan



## Activity VII.III.1.2

VII.III.1.2	With the purpose of defining and standardizing the various phases that make up the PRPB recruitment process and guarantee the uniformity of the same for all candidates for the position of cadet, the recruitment officer and his or her task force will develop a <b>flowchart</b> of the various phases of the recruitment process, from the announcement to the selection, which will allow for the specification and standardization of the process in equal conditions for all candidates. The limitations and weaknesses of the process will be discovered by analyzing it to make it more streamlined and efficient to successfully attract and promote the hiring of qualified candidates, pursuant to the applicable non-discrimination statutes and protecting candidates' rights in accordance with generally accepted police practices. This flowchart will be included in the <b>General Order for the MPRPB Recruitment Program</b> . (Table 6)
Due Date	September 2016
TCA Assessment	A recruitment flowchart has not been developed or submitted to the TCA Core Team.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VII.III.1.3

VII.III.1.3	Develop an informational and procedures brochure or guide for candidates for the position of cadet at the PRPB that will provide guidance and help them identify various aspects of the recruitment process so that they can successfully complete it.
Due Date	September 2016
TCA Assessment	A hard copy recruitment guide/brochure has not been developed by the PRPD, however, there is one available on the PRPD website.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VII.III.1.4

VII.III.1.4	<p>Develop and implement an attractive advertising campaign to promote recruiting PRPB candidates targeted at various sectors of the community in educational institutions (including high schools), job fairs, shopping centers, press, radio, military bases, social networks, public service programs offered by the television media, and the PRPB webpage. To such effect, the PRPB will carry out the following activities:</p> <ul style="list-style-type: none"> <li>• Publish the minimum requirements established to qualify for the position of cadet on the PRPB webpage and the government portal. The announcement and requirements for candidates will also be published in local, regional, and national newspapers.</li> <li>• Develop informational brochures about the recruitment process including the minimum requirements and steps to follow to complete the process successfully, which will be distributed at the various job fairs that will be organized throughout the island.</li> <li>• Design a recruitment poster with the requirements that must be met to become a candidate for the position of cadet and general information about the recruitment process, which will be distributed at various universities, technical colleges, and educational, shopping, and community centers. (Table 8)</li> </ul>
Due Date	Once the Superintendent has made the decision and vacant positions and budgets have been identified.
TCA Assessment	Decision to have a recruit class in 2018 has not yet been determined by the PRPD. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VII.III.1.5

VII.III.1.5	The PRPB Office of Safety and Protection will establish an Analysis, Control, and Quality Committee to guarantee the integrity and reliability of job candidate investigations. (Table 9)
Due Date	When recruitment process begins.
TCA Assessment	Decision to have a recruit class in 2017 has not yet been determined by the PRPB. TCA assessment has not reviewed information on Analysis, Control, and Quality Committee. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VII.III.1.6

VII.III.1.6	The PRPB and the SAEA will establish performance evaluation requirements that comply with the objectives required by the PRPB. The evaluation of cadets will establish parameters to evaluate their performance, aptitude, and abilities during their training period at the PRPB Academy, which will include 800 hours of field training. Once they have passed the training, they will be promoted to the rank of officer. (Table 10)
Due Date	After recruitment and after training requirements are met cadets will be officers.
TCA Assessment	Performance evaluation requirements have been established by the PRPB and SAEA. General Order 702 for the SAEA was signed and published, as well as the General Order that pertains to cadet training and performance evaluation requirements. The curriculum (all course material) has to be revised every 6 months regardless of scheduled classes. The General Order identifies the months that the revisions are required. Additionally, performance evaluations for faculty members was included in the General Order.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in full compliance</b> with this detailed step of the Action Plan

## Activity VII.III.2.1

VII.III.2.1	<p>Within the twelve (12) months following the final approval of the training material of the Recruitment Manual and the Multi-topic Workshop on the recruitment process and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of PRPB employees. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The following topics will be addressed:</p> <p>2.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements and rules and procedures to follow in each phase of the process);</p> <p>2.1.2 phases of recruitment process;</p> <p>2.1.3 guidance on effective recruitment interview techniques;</p> <p>2.1.4 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>2.1.5 candidate profile;</p> <p>2.1.6 informational guide on recruitment process; and</p> <p>2.1.7 techniques to interview members of community organizations. (Table 11)</p>
Due Date	Training will be implemented as indicated in <b>Appendix C – Training Implementation Process</b> .
TCA Assessment	Decision to have a recruit class in 2017 has not yet been determined by the PRPB. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## IV Self-Assessment Activities:

## Activity VII.IV.1.1

VII.IV.1.1	The PRPB, through the Office of Reform, will conduct periodic, specific, and random monitoring of the different activities, services, investigations, and training courses.
Due Date	May 2017
TCA Assessment	The PRPB Report adequately documents PRPB's self-assessment process. Members of the Reform conduct random monitoring of the different activities, services, investigations and training courses with Members of the TCA Core Team on site visits.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in full compliance</b> with this detailed step of the Action Plan

## Activity VII.IV.1.2

VII.IV.1.2	On an annual basis, [the PRPB] will compile a random sample of the work MPRPBs are performing to verify the positions available.
Due Date	May 2017
TCA Assessment	The PRPB Report adequately documents PRPB's self-assessment process
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in full compliance</b> with this detailed step of the Action Plan



## Activity VII.IV.1.3

VII.IV.1.3	The Implementation and Compliance Section of the Office of Reform, together with the Analysis, Control, and Quality Committee of the Office of Safety and Protection, will develop a Candidate Investigation Monitoring Program to ensure compliance with the Job Candidate Investigation Guide and guarantee high-quality, efficient investigations.
Due Date	May 2017
TCA Assessment	The TCA Core Team has not reviewed a Job Candidate Investigation Guide will guarantee high-quality, efficient investigations.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VII.IV.1.4

VII.IV.1.4	The Implementation and Compliance Section of the Office of Reform, together with the Analysis, Control, and Quality Committee of the Office of Safety and Protection, will design the evaluation instrument to conduct efficient, high-quality monitoring of the components of the recruitment process.
Due Date	May 2017
TCA Assessment	The TCA Core Team has not reviewed a Job Candidate Investigation Guide will guarantee high-quality, efficient investigations.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Compliance Tables for Policies and Procedures Action Plan

### Section VIII. Policies and Procedures Requirements: 109 to 116

#### Compliance Area Summary:

#### I. Policy and Procedure Development Objectives:

##### Activity VIII.I.1.1

VIII.I.1.1	Develop a draft bill to amend Public Law Number 53 of June 10, 1996, as amended, known as the "Puerto Rico Police Department Act," to adapt it to the requirements established in the Agreement for the Sustainable Reform of the PRPB.  Paragraphs 109, 110
Due Date	March 2017 <u>Current Effective Date</u> : 04/10/2017
TCA Assessment	With the implementation of the new DPS law (Act 20-2017), Law Number 53 (Act 53-1996) has been vacated
Recommendations	See TCA Message. PRPB needs administrative and operational framework under Act 20.
TCA Rating	Timeframe was <b>not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan. To date, PRPB has not addressed the issue of how will codify relevant provisions of the Agreement in the absence of Law 53.

## Activity VIII.I.1.2

VIII.I.1.2	<p>Review General Order, Chapter 100, Section 102, entitled “Reorganization of the Puerto Rico Police Department Organizational Structure,” with the purpose of adjust said General Order to the changes resulting from the creation and reorganization of other work units and the Agreement.</p> <p>Paragraphs 109, 110</p>
Due Date	September 2017.
TCA Assessment	See TCA Message. PRPB needs administrative and operational framework under Act 20. This was submitted on June 2018. TCA approved October 1, 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was <b>not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance with</b> this detailed step of the Action Plan.</p>

## Activity VIII.I.1.3

VIII.I.1.3	Review General Order, Chapter 100, Section 106, entitled "Creation of the Office of the Assistant Superintendent for Field Operations," to incorporate the changes in the structure and duties of the Office of the Assistance Superintendent for Field Operations and the Zones of Excellence. Paragraphs 109, 110, 111 (a)
Due Date	November 2016
TCA Assessment	PRPB reviewed the above policy with TCA input during the past reporting period. The new revision should be ready by September 2018. PRPB is likely to request an extension. New policy must take into account new structure of PRPB under Act 20 and other organizational changes.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was initially met</b> . Timeframe was not met for first annual revision. Policy reviewed and submitted on September 2018.  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan.

## Activity VIII.I.1.4

VIII.I.1.4	Review General Order, Chapter 100, Section 111, entitled “Creation and Functional Organization of the Office of Reform,” to adjust it to the changes that have been made after its creation.
Due Date	October 2016
TCA Assessment	Signed by Superintendent April 2015. Revised October 2016. Under current revision (October 2018)
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b> . However, the annual revision has been delayed.  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity VIII.I.1.5

VIII.I.1.5	Review General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations," to incorporate the changes made in the organizational structure to comply with the provisions of the Agreement.
Due Date	September 2016 <u>Current Effective Date:</u> 30/06/2017
TCA Assessment	PRPB reviewed above order with TCA input during the past reporting period. Currently under revision.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.I.1.6

VIII.I.1.6	Develop a General Order establishing the organizational and functional structure of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons, as well as its duties and responsibilities, in accordance with the Agreement and generally accepted police practices.
Due Date	April 2016 <u>Current Effective Date:</u> 06/25/2018
TCA Assessment	PRPB developed the above order with TCA input during last reporting period Signed by Superintendent Sept/2016. Review is pending PC signature
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan



## Activity VIII.I.2.1

VIII.I.2.1	Review Regulations No. 4216, entitled “Puerto Rico Police Department Personnel Regulations,” in its entirety to adapt it to Public Law No. 53-1996, as amended, known as the “Puerto Rico Police Department Act of 1996;” to Public Law No. 184-2004, as amended, known as the “Public Service Human Resources Administration Act;” to other applicable legislation; and to the requirements of the Agreement for the Sustainable Reform of the PRPB. The Regulations will also clarify that they will only apply to the personnel belonging to the PRPB Rank System.
Due Date	November 2017
TCA Assessment	See TCA Message. PRPB needs administrative and operational framework under Act 20. Policy is under review to adapt to Ley 20-2017, Ley 26-2017 y Ley 8-2017. Reviewed in September 2018.
Recommendations	Continue review in accordance with Agreement requirements  Under deliberation.
TCA Rating	Timeframe was <b>not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan.

## Activity VIII.I.3.1

VIII.I.3.1	Review AO 2015-1-IV, entitled “Administrative Order for Traffic Stops,” to adapt it to the new generally accepted police practices in relation to the services provided to people and police interventions with them. <b>ORDEN GENERAL 619</b>
Due Date	March 2016 <u>Current Effective Date:</u> 05/25/2016
TCA Assessment	Training pending, waiting approval of the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>APROBADA PENDIENTE DE FIRMA.</p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.I.3.2

VIII.I.3.2	Review Uniform Crime Reporting Handbook (NIBRS).
Due Date	November 2016
TCA Assessment	NIBRS manual approved Jan 2016. <u>Current Effective Date: 09/01/2017</u>
Recommendations	Continue review in accordance with Agreement requirements. Review Pilot status and forms in July and August with PRPB (see IT Action Plan Section IV.1.2.1 Table 30)
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan until NIBRS training is in place.</p>

## Activity VIII.I.4.1

VIII.I.4.1	Review the corresponding Memoranda of Understanding with federal and state agencies to adapt them to the Agreement and establish requirements that federal agencies must meet to request the services of PRPB officers, procedures that federal agencies must follow in relation to MPRPBs assigned to task forces in order to comply with the Agreement, and required processes, such as training, performance evaluations and reporting of any incident of improper conduct or use of force by MPRPBs under their supervision, among others.
Due Date	February 2017
TCA Assessment	The PRPB submitted a list of proposed changes. The TCA reviewed the list but has not seen these changes implemented.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan until TCA recommendations are in place.</p>

## Activity VIII.I.4.2

VIII.I.4.2	Develop an Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow to incorporate the new and revised policies in accordance with state and federal laws and generally accepted police practices related to searches, seizures, arrests, and extraditions. This Operations Manual will be classified as confidential due to the nature of the operations conducted, the protection and confidentiality of the logistics during the time it takes to search for information, the danger of the investigations, and the security measures that these MPRPBs must take.
Due Date	November 2016
TCA Assessment	It is the understanding of the TCA that this Manual is currently being worked on. PRPB is checking status.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VIII.I.4.3

VIII.I.4.3	Develop a Procedures Manual for Investigators of the Criminal Investigation Corps to standardize the processes conducted during the entire criminal investigation in order to meet the fundamental requirements in accordance with the law and generally accepted police practices and to safeguard the confidentiality of the same. This Operations [sic] Manual will be classified as confidential due to the nature of the operations conducted, the protection and confidentiality of the logistics during the time it takes to search for information, the danger of the investigations, and the security measures that these MPRPBs must take.
Due Date	November 2016
TCA Assessment	Procedures Manual for CIC Investigators developed by PRPB and approved by TCA during the past reporting period. Annual revision was scheduled for April 2018. Not signed yet. FBI contributed to this policy.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.I.5.1

VIII.I.5.1	Review Special Order No. 2010-7, entitled “Local Monthly Academies,” to establish the procedure that will be followed when developing the continuous monthly training and at the beginning of each shift or service periods; and to record and certify the discussion of general orders and/or administrative orders during local “academies” as an alternate valid method to the training offered by the SAEA in order to supplement the 40 hours of formal training in accordance with the Supervision and Management Compliance Area.
Due Date	October 2016
TCA Assessment	The Special order has been developed, and approved by the TCA. Under review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.I.6.1

VIII.I.6.1	Develop a General Order to create the Virtual Library on the PRPB webpage where all policies and procedures in force, as well as the different forms, will be published and indexed so that PRPB employees can easily access them and the general public can also have access to the information. Thus, people from the community and MPRPBs will be able to access laws, regulations, policies, and procedures applicable to the PRPB that are not confidential. A section will be established in this webpage where people from the community can submit comments about policies and procedures in process or approved by the superintendent. The comments will be evaluated and analyzed by the Office of Reform and, if they are in keeping with generally accepted police practices and the respective Constitutions and laws of the United States of America and the Commonwealth of Puerto Rico, they will be incorporated, as appropriate, during the annual reviews. <b>This activity is included in the Information Systems and Technology Action Plan.</b>
Due Date	December 2016 <u>Compliance with the Activity:</u> 07/31/2018. Pending to go in effect.
TCA Assessment	To date has not been established by IT Bureau. According to IT Action Plan pending finalization of all policies before implemented.  The PRPB is likely to request an extension. New Policy should be scheduled for July 2018.
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan



## Activity VIII.I.6.2

6.2	Develop an Administrative Order establishing the rules and procedures PRPB personnel must follow to protect the copyrights of graphic works and photos and the source codes of software, among others, produced by the PRPB. (Table 15)
Due Date	October 2016
TCA Assessment	<p>Changed from Administrative Order to a Regulation. The Regulation required process through PR Administrative Law. It was approved, but never implemented. The PRPB will create a General Order.</p> <p>Policy was approved, but not signed.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan until General Order is developed</p>

## Activity VIII.I.7.1

VIII.I.7.1	Review General Order 73-4, entitled “Rules and Procedures for the Tactical Operations Unit.” This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

## Activity VIII.I.7.2

VIII.I.7.2	Develop General Order for the Mobilization of the Division of Special Weapons and Tactics (SWAT). This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

## Activity VIII.I.7.3

VIII.I.7.3	Develop Protocol to Regulate K-9 [Officers] in Patrolling Duties. This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See Use of Force (boxes)

Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

**Activity VIII.I.7.4**

VIII.I.7.4	Develop General Order for Crowd Control and Incident Management. This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See Use of Force (Boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

**Activity VIII.I.7.5**

VIII.I.7.5	Develop General Order to Create Force Investigation Unit (FIU). This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

## Activity VIII.I.7.6

VIII.I.7.6	Review General Order 2010-14, entitled “Creation of the Office of the Assistant Superintendent for Professional Responsibility.” This policy is included in the <b>Administrative Complaints Action Plan</b> .
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

## Activity VIII.I.7.7

VIII.I.7.7	Review Regulations 6506, entitled “Regulations to Process Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB,” to adopt the new “ <b>Regulations to Receive, Process, and Manage Administrative Complaints</b> .” This policy is included in the <b>Administrative Complaints Action Plan</b> .
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

## Activity VIII.I.7.8

VIII.I.7.8	Develop the Administrative Complaint Investigation Procedures Manual. This policy is included in the <b>Administrative Complaints Action Plan</b> .
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

## Activity VIII.I.7.9

VIII.I.7.9	Review General Order 2010-1, entitled “Reorganization of the Internal Audit Office.” This policy is included in the <b>Supervision and Management Action Plan</b> .
Due Date	
TCA Assessment	See Supervision Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Supervision Action Plan.

## Activity VIII.I.7.10

VIII.I.7.10	Develop Procedures Manual establishing Guidelines to Conduct Operational and Administrative Inspections. This policy is included in the <b>Supervision and Management Action Plan</b> .
Due Date	
TCA Assessment	See Supervision Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Supervision Action Plan.

## Activity VIII.I.7.11

VIII.I.7.11	Review Regulations No. 6403, entitled “Puerto Rico Police Department Officials and Employees Controlled Substance Detection Program Regulations.” This policy is included in the <b>Administrative Complaints Action Plan</b> .
Due Date	
TCA Assessment	See Administrative Complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

## Activity VIII.I.7.12

VIII.I.7.12	Review General Order, Chapter 600, Section 605, entitled “Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department.” This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	

TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

**Activity VIII.I.7.13**

VIII.I.7.13	Develop General Order to establish the Force Review Boards. This policy is included in the <b>Use of Force Action Plan</b> .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

**Activity VIII.I.7.14**

VIII.I.7.14	Develop General Order for the Investigation of Domestic Violence Incidents. This policy is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	
TCA Assessment	See Equal Protection (boxes)

Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

**Activity VIII.I.7.15**

VIII.I.7.15	Develop Administrative Order for Intervention in Domestic Violence Incidents Involving PRPB Employees. This policy is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

**Activity VIII.I.7.16**

VIII.I.7.16	Develop General Order for the Investigation of Sexual Assault Incidents. This policy is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.



## Activity VIII.I.7.17

VIII.I.7.17	Develop General Order for the Investigation of Sexual Assault Incidents. This policy is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
Compliance	For rating, see the Equal Protection Action Plan.

## Activity VIII.I.7.18

VIII.I.7.18	Develop Administrative Order to Investigate Sexual Assault Incidents for cases in which an incident of sexual assault involving PRPB employees occurs. This policy is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

## Activity VIII.I.7.19

VIII.I.7.19	Develop <b>General Order for the MPRPB Recruitment Program</b> establishing clear guidelines and objectives to recruit MPRPB candidates. This policy is included in the <b>Recruitment, Selection, and Hiring Action Plan</b> .
Due Date	

TCA Assessment	See Recruitment Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Recruitment Action Plan.

**Activity VIII.I.7.20**

VIII.I.7.20	Develop General Order establishing the rules and procedures for the Cadet Training Program. This policy is included in the <b>Training Action Plan</b> .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

**Activity VIII.I.7.21**

VIII.I.7.21	Review General Order, Chapter 700, Section 701, entitled "Creation of the Operational Supervision Officers Program." This policy is included in the <b>Training Action Plan</b> .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

## Activity VIII.I.7.22

VIII.I.7.22	Review Operations Manual of the Field Training Program (FTOs). This policy is included in the <b>Training Action Plan</b> .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

## Activity VIII.I.7.23

VIII.I.7.23	Develop Administrative Order establishing the rules and procedures for the development and implementation of training and re-training for PRPB employees. This policy is included in the <b>Training Action Plan</b> .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

## II. Training Development Objectives:

## Activity VIII.II.1.1

VIII.II.1.1	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train <b>all MPRPBs assigned to SAIC</b> on the law, applicable case law, and the rules and procedures to follow when conducting criminal investigations. The Program will begin with training on the following topics: (Table 16)</p> <ul style="list-style-type: none"> <li>1.1.1 criminal law;</li> <li>1.1.2 Rules of Criminal Procedure;</li> <li>1.1.3 evidence law;</li> <li>1.1.4 constitutional and civil rights;</li> <li>1.1.5 criminal investigation techniques;</li> <li>1.1.6 interview and interrogation techniques;</li> <li>1.1.7 scene work;</li> <li>1.1.8 court testimony;</li> <li>1.1.9 criminal photography; and</li> <li>1.1.10 preparation of files and reports.</li> </ul> <p>MPRPBs assigned to the SAIC will also take training corresponding to the following policies during the period established on the timeline:</p> <ul style="list-style-type: none"> <li>1.1.11 General Order, Chapter 100, Section 107, entitled “Creation of the Office of the Assistant Superintendent for Criminal Investigations”; and</li> <li>1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.</li> </ul>
Due Date	
TCA Assessment	Training module not yet developed
Recommendations	
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.II.1.2

VIII.II.1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs <b>assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons</b> on the following topics: (Table 17)</p> <ul style="list-style-type: none"> <li>1.2.1 criminal law;</li> <li>1.2.2 Rules of Criminal Procedure;</li> <li>1.2.3 evidence;</li> <li>1.2.4 criminal investigation techniques;</li> <li>1.2.5 interview and interrogation techniques;</li> <li>1.2.6 Confidential Special Order 2010-1;</li> <li>1.2.7 police corruption;</li> <li>1.2.8 identification of controlled substances;</li> <li>1.2.9 undercover operations;</li> <li>1.2.10 controlled substance sale surveillance;</li> <li>1.2.11 court testimony;</li> <li>1.2.12 forensic photography and video</li> <li>1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and</li> <li>1.2.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.</li> </ul>
Due Date	
TCA Assessment	Training module not yet developed except for corruption (1.2.7) that should be completed by December 2018.
Recommendations	
TCA Rating	<p>Timeframe <b>was not met. Extension requested.</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.II.1.3

VIII.II.1.3	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at <b>all MPRPBs</b> on the law, applicable case law, and the rules and procedures to follow when conducting <b>traffic stops</b> in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. (Table 18)
Due Date	
TCA Assessment	Training module not yet developed
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity VIII.II.1.4

VIII.II.1	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at <b>all MPRPBs</b> on the <b>Uniform Crime Reporting Handbook (NIBRS)</b> . (Table 19)
Due Date	<b>MANUAL DE NIBRS, EN PROCESO PENDIENTE DE NUEVO ENVIO JUNTO A LA ORDEN GENERAL</b>
TCA Assessment	Training module not yet developed. This should be ready by November 2018
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## III. Training Implementation Objective:

## Activity VIII.III.1.1

VIII.III.1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs assigned to the SAIC</b> on the <b>topics included in the Multi-topic Program</b>. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The Multi-topic Training Program that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> <li>i. criminal law;</li> <li>ii. Rules of Criminal Procedure;</li> <li>iii. evidence law;</li> <li>iv. constitutional and civil rights;</li> <li>v. criminal investigation techniques;</li> <li>vi. interview and interrogation techniques;</li> <li>vii. scene work;</li> <li>viii. court testimony;</li> <li>ix. criminal photography;</li> <li>x. preparation of files and reports;</li> <li>xi. General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations"; and</li> <li>xii. Operational Manual for Criminal Investigation Corps Investigator Procedures.</li> </ul>
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe <b>was not met. Extension requested.</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.III.1.2

VIII.III.1.2	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs <b>assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons</b>. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p> <p>The Multi-topic Training Program that will be implemented will address the following topics: (Table 21)</p> <ul style="list-style-type: none"> <li>1.1.1 criminal law;</li> <li>1.1.2 Rules of Criminal Procedure;</li> <li>1.1.3 evidence law;</li> <li>1.1.4 criminal investigation techniques;</li> <li>1.1.5 interview and interrogation techniques;</li> <li>1.1.6 Special Confidential Order 2010-1;</li> <li>1.1.7 police corruption;</li> <li>1.1.8 controlled substances identification;</li> <li>1.1.9 undercover operations;</li> <li>1.1.10 controlled substance sale surveillance;</li> <li>1.1.11 court testimony;</li> <li>1.1.12 forensic photography and video;</li> <li>1.1.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and</li> <li>1.1.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.</li> </ul>
Due Date	
TCA Assessment	



Recommendations	
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.III.1.3

VIII.III.1.3	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs</b> on the law, applicable case law, and the rules and procedures that must be followed when conducting <b>traffic stops</b> in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p>
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.III.1.4

VIII.III.1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>all MPRPBs</b> on the <b>Uniform Crime Reporting Handbook (NIBRS)</b> . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## IV. Implementation Objectives:

## Activity VIII.IV.1.1

VIII.IV.1.1	The PRPB will develop a Strategic Plan for Implementation in Zones of Excellence establishing the goals, objectives, and activities aimed at measuring the percentage of MPRPBs who have been trained on each of the implemented policies to comply with the procedures related to the eleven (11) compliance areas included in the Reform Agreement. (Table 24)
Due Date	
TCA Assessment	TCA has not seen strategic plan. However, training progress is above 90% in all areas
Recommendations	
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.IV.1.2

VIII.IV.1.2	Hold local “academies” at each work unit based on the guidelines provided by the PRPB to ensure that the PRPB personnel know the policies and procedures established by the Agency.
Due Date	ongoing
TCA Assessment	The TCA has visited local academies during the Core Team filed visits and has reviewed training logs
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## V. Self-Assessment Objectives

## Activity VIII.V.1.1

VIII.V.1.1	<p>The PRPB, through the Office of Reform, will evaluate the effectiveness of the rules and procedures adopted in its policies and the knowledge acquired in the training of PRPB employees. The results of these evaluations will be analyzed to measure the level of knowledge, attitudes, aptitudes, and abilities; to identify if there is a substantial deficiency; and, if necessary, to take the corrective actions in the policies, training courses, and re-training courses so that the procedures adopted are feasible, operationally enforceable, and sustainable. This activity will be conducted through an Evaluation Protocol on Compliance with Operational Programs Best Practices, which will help measure the effectiveness of the rules and training of PRPB employees by reviewing documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints to ensure that police services are provided in an equitable, respectful, and unbiased manner; attaining ongoing professionalization of MPRPBs; restoring the community's trust; and effectively preventing crime based on generally accepted police practices and without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity or expression, or political beliefs or affiliation and pursuant to the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the United States and the Commonwealth of Puerto Rico. <b>The development of this Protocol will be part of the Equal Protection and Non-discrimination Compliance Area Action Plan.</b></p>
Due Date	ongoing
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.V.1.2

VIII.V.1.2	The PRPB, through the Office of Reform, will submit a monthly report to the superintendent on the policies and procedures scheduled as of the date submitted so that collaborators from the various Offices of the Assistant Superintendents can provide draft policies and procedures in advance on the date scheduled for each of them and avoid affecting their delivery to the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.V.1.3

VIII.V.1.3	The PRPB, through the Office of Reform, will submit a monthly report to the superintendent on the progress of the policies and procedures, according to the due date and status of each with the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity VIII.V.1.4

VIII.V.1.4	On a monthly basis, the PRPB, through the Office of Reform, will verify that the corresponding policies have been delivered as scheduled, including the annual reviews established in the Agreement. In the event of noncompliance, it will evaluate the situation that resulted in not delivering the policy or procedure on the scheduled date and prepare a report for the superintendent stating the reasons for the noncompliance, its findings and recommendations, and any agreements reached with the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan



## Activity VIII.V.1.5

VIII.V.1.5	The Implementation and Compliance Section of the Office of Reform will compile the statistical data and information needed to ensure that MPRPBs are being informed about the new and revised policies and procedures established by the PRPB through the local “academies.” This will allow the PRPB to obtain the statistical data and information needed to make sure that MPRPBs are receiving the corresponding training and to measure progress and the level of compliance during the first twelve (12) months and the twelve (12) months following the final approval of the training material, starting with the Zones of Excellence and, afterwards, according to the priority work units established in this Action Plan. It will also identify the aspects that need to be corrected or amended.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity VIII.V.1.6

VIII.V.1.6	The PRPB, through the Office of Reform, will evaluate the recommendations received from all PRPB employees and people from the community in relation to all the policies and procedures in force that are not confidential in nature. The comments will be evaluated and analyzed by the Office of Reform and, if they are in keeping with generally accepted police practices and the respective Constitutions and laws of the United States of America and the Commonwealth of Puerto Rico, they will be incorporated, as appropriate, during the annual reviews.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Compliance Tables for Training Action Plan

### Section IX. Training Requirements: 117 to 134

#### I. Policy and Procedure Development Objectives:

##### Activity IX.I.1.1

IX.I.1.1	Develop a General Order establishing the rules and procedures of the Prior-to-Service Education and Training Program (Cadets) and the review of said curricula.
Due Date	October 2016 <u>Current Effective Date:</u> 04/12/2017
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan. The General Order for pre-service training has been approved, signed and distributed to PRPD personnel. It was signed on 12 April 2017 as OG 700-702. Pending PC signature
Recommendations	Continue annual reviews in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity IX.I.1.2

IX.I.1.2	Develop the new PRPB Academy Student Regulations, which will repeal Regulations No. 7669, entitled “Puerto Rico Criminal Justice College Student Regulations,” to adapt them to the amendments to Public Law No. 53-1996, as amended, known as the “Puerto Rico Police Department Act,” and with the requirements of the Agreement.
Due Date	July 27, 2017
TCA Assessment	In progress. Pending PC signature
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity IX.I.1.3

IX.I.1.3	Review General Order, Chapter 100, Section 108, entitled "Creation of the Office of the Assistant Superintendent for Education and Training," to incorporate the requirements included in the Reform Agreement and establish, among other things, the powers and responsibilities in relation to guaranteeing that PRPB employees receive full and effective training aimed at protecting their security and that of the people through theoretical and practical training and re-training that integrate community policing principles and that these principles promote equitable, respectful, and unbiased police services. The selection, certification, and recertification processes and the responsibilities of instructors will also be included. Furthermore, the duties and responsibilities of PRPB training coordinators will be established.
Due Date	September 2016 <u>Current Effective Date:</u> 12/19/2016
TCA Assessment	General Order entitled "Creation of the Office of the Assistant Superintendent for Education and Training," has been approved by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity IX.I.1.4

IX.I.1.4	Develop an Administrative Order establishing the rules and procedures to develop and implement training and re-training for PRPB employees. It will also include the rules and procedures for enrollment, compiling information (statistics), files, and certification of training and re-training taken by PRPB personnel, as well as the electronic distribution of the annual Training Plan prepared by the SAEA and the PRPB training coordinators.
Due Date	August 2017
TCA Assessment	Administrative order establishing rules and procedures to develop and implement training and retraining for PRPD employees is currently in place. This is anew order OG 700-703. No information regarding PC signature.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in partial compliance</b> with this detailed step of the Action Plan

## Activity IX.I.1.5

IX.I.1.5	Review General Order, Chapter 700, Section 701, entitled "Creation of the Operational Supervision Officers Program," to adapt it to the Operations Manual of the Field Training Program and the requirements of the Agreement.
Due Date	March 2016 <u>Current Effective Date</u> : 09/13/2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met  The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

## Activity IX.I.1.6

IX.I.1.6	Review the Operations Manual of the Field Training Program (FTOs) to adapt it to the new and revised policies established at the PRPB.
Due Date	March 2016 <u>Current Effective Date</u> : 09/13/2016
TCA Assessment	Review of the Operational Manual of the Field Training Program has been approved by the TCA and approved by the Superintendent to adapt it to the new and revised policies established at the PRPB. The final Field Operations Manual was approved on 13 September 2016. The OG 700-702 was approved, signed and distributed to PRPD personnel.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met  The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan



## Activity IX.I.1.7

IX.I.1.7	Review General Order 88-1, entitled “Rules and Procedures for the Appearance of Police Department Personnel at Court and Administrative Proceedings,” to adapt it to the requirements of the Agreement and make sure that appearances at court and administrative proceedings will not affect MPRPB attendance at the training established in the different Action Plans. The Protocols establishing the processes to follow to carry out the appropriate coordination are included in the <b>Searches and Seizures and the Supervision and Management Action Plans</b> .
Due Date	November 2016 <u>Current Effective Date</u> : 04/24/2018
TCA Assessment	General Order 88-1 entitled “Rules and Procedures for the Appearance of Police Department Personnel at Court and Administrative Proceedings” has not yet been approved. The TCA has been monitoring PRPB’s progress. PRPB has not complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Supervision and Search and Seizure Action Plans <b>[non-compliance]</b>

## II. Pre-service Training Development Objectives:

## Activity IX.II.1.1

IX.II.1.1	The Criminal Justice College ceased to exist on July 30, 2014, with the passing of Public Law No. 112-2014, which repealed Public Law No. 155-1999, as amended, that had created the Criminal Justice College. Thus, the SAEA no longer offers college degrees, and as such, the accreditations of the Puerto Rico Council on Higher Education or the Middle States Association of Colleges and Schools are no longer required. To such effect, the SAEA took steps to request the closing of the CJC and submitted certification number 2015-175 signed by Mr. Ricardo Aponte Parsi, chairman of the Puerto Rico Council on Higher Education, acknowledging the closing of the Gurabo and Villalba campuses of the Criminal Justice College effective July 30, 2014. The TCA requested a copy of the certification. The SAEA has assumed responsibility for the CJC, thus complying with requirement number 118 of the Agreement.
Due Date	See Schedules B & C.
TCA Assessment	General Order has been approved but may be changed. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan. Training module reviewed in March 2018.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	n/a

## Activity IX.II.2.1

IX.II.2.1	<p>The SAEA will develop a Prior-to-Service Education and Training Program (cadets), which will consist of at least nine hundred (900) contact hours. The Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics:</p> <ul style="list-style-type: none"> <li>2.1.1 criminology;</li> <li>2.1.2 fundamentals of communication and writing reports and forms;</li> <li>2.1.3 basic techniques in the use and management of force;</li> <li>2.1.4 fundamentals of psychology and human relations in the police context;</li> <li>2.1.5 ethical police principles;</li> <li>2.1.6 criminal law;</li> <li>2.1.7 introduction to human and civil rights;</li> <li>2.1.8 basic use and handling of firearms;</li> <li>2.1.9 physical efficiency;</li> <li>2.1.10 special legislation;</li> <li>2.1.11 criminal procedure;</li> <li>2.1.12 searches and seizures;</li> <li>2.1.13 fundamentals of the administration of the Traffic Act;</li> <li>2.1.14 psychosocial and investigative aspects of domestic violence, sexual harassment, and LGBTTIQ communities;</li> <li>2.1.15 conflict mediation and resolution;</li> <li>2.1.16 intermediate use and handling of firearms;</li> <li>2.1.17 intermediate techniques in the use and management of force;</li> <li>2.1.18 certification in the use and handling of pepper spray;</li> <li>2.1.19 introduction to juvenile justice;</li> <li>2.1.20 Rules of Evidence and court testimony;</li> <li>2.1.21 organizational conduct in the police context;</li> <li>2.1.22 criminal investigation;</li> <li>2.1.23 management and protocol in crisis situations;</li> <li>2.1.24 operational skills simulated scenarios;</li> <li>2.1.25 community policing;</li> <li>2.1.26 cybernetics in criminal investigation;</li> <li>2.1.27 blood pathogens, response in cases of emergency, and basic first-aid skills;</li> <li>2.1.28 interview and interrogation; and</li> <li>2.1.29 equal protection and non-discrimination (homeless persons) and human trafficking.</li> </ul>
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b>.</p>

TCA Assessment	Prior-to-Service Education and Training Program (cadets) has been approved by the TCA and the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

### III. Field Training Development Objectives:

#### Activity IX.III.1.1

IX.III.1.1	<p>The SAEA will develop the FTO Training Program to train future FTOs or re-train MPRPBs who have previously acted as FTOs. It will consist of a minimum of eighty (80) contact hours, which include theory and practice. The Training and Re-training Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 9)</p> <ul style="list-style-type: none"> <li>1.1.1 Agreement requirements;</li> <li>1.1.2 introduction to the Field Training Program;</li> <li>1.1.3 use of force and use-of-force incident reports;</li> <li>1.1.4 reports and forms;</li> <li>1.1.5 criminal law and criminal procedure;</li> <li>1.1.6 civil rights (focused on protections against unreasonable searches and seizures and equal protection and non-discrimination);</li> <li>1.1.7 Traffic Act and traffic stops;</li> <li>1.1.8 sexual harassment and other prohibited employment practices;</li> <li>1.1.9 criminal investigation;</li> <li>1.1.10 supervision and management;</li> <li>1.1.11 arrests and citations;</li> <li>1.1.12 mechanics of the arrest;</li> <li>1.1.13 searches and seizures;</li> <li>1.1.14 community policing (effective conflict resolution techniques);</li> <li>1.1.15 interaction with transgender and transsexual persons;</li> <li>1.1.16 intervention with foreigners;</li> <li>1.1.17 weapons authorized by the PRPB;</li> <li>1.1.18 police ethics;</li> </ul>
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	<p>1.1.19 crisis intervention;</p> <p>1.1.20 Operations Manual of the Field Training Program; and</p> <p>1.1.21 basic teaching techniques.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>FTO Training Program has been developed, implemented, and approved by the TCA and the Commissioner.</p> <p>The General Order for pre-service training has been approved, signed and distributed to PRPD personnel. It was signed on 12 April 2017 as OG 700-702.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity IX.III.1.2

IX.III.1.2	<p>The PRPB will develop <b>the Field Training Program</b> for recently graduated officers, which will consist of at least nine hundred (900) hours of practice and be divided into four (4) phases as detailed below:</p> <p>1.2.1 Phase I – Integration – Response to Incidents Not Constituting an Emergency;</p> <p>1.2.2 Phase II – Response to Incidents Constituting an Emergency;</p> <p>1.2.3 Phase III – Activities while Patrolling; and</p> <p>1.2.4 Phase IV – Criminal Investigations.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b>
TCA Assessment	The Field Training Program has been developed, implemented, and approved by the TCA and the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## IV. Training and Re-training Implementation Objectives:

## A. Pre-service Training Program:

## Activity IX.IV.A.1.1

IX.IV.A.1.1	<p>The SAEA will implement a Prior-to-Service Education and Training Program (cadets) that will consist of at least nine hundred (900) contact hours. The Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 11)</p> <ul style="list-style-type: none"> <li>1.1.1 criminology;</li> <li>1.1.2 fundamentals of communication and writing reports and forms;</li> <li>1.1.3 basic techniques in the use and management of force;</li> <li>1.1.4 fundamentals of psychology and human relations in the police context;</li> <li>1.1.5 ethical police principles;</li> <li>1.1.6 criminal law;</li> <li>1.1.7 introduction to human and civil rights;</li> <li>1.1.8 basic use and handling of firearms;</li> <li>1.1.9 physical efficiency;</li> <li>1.1.10 special legislation;</li> <li>1.1.11 criminal procedure;</li> <li>1.1.12 searches and seizures;</li> <li>1.1.13 fundamentals of the administration of the Traffic Act;</li> <li>1.1.14 psychosocial and investigative aspects of domestic violence, sexual harassment, and LGBTTIQ communities;</li> <li>1.1.15 conflict mediation and resolution;</li> <li>1.1.16 intermediate use and handling of firearms;</li> <li>1.1.17 intermediate techniques in the use and management of force;</li> <li>1.1.18 certification in the use and handling of pepper spray;</li> <li>1.1.19 introduction to juvenile justice;</li> <li>1.1.20 Rules of Evidence and court testimony;</li> <li>1.1.21 organizational conduct in the police context;</li> <li>1.1.22 criminal investigation;</li> <li>1.1.23 management and protocol in crisis situations;</li> <li>1.1.24 operational skills simulated scenarios;</li> <li>1.1.25 community policing;</li> <li>1.1.26 cybernetics in criminal investigation;</li> <li>1.1.27 blood pathogens, response in cases of emergency, and basic first-aid skills;</li> <li>1.1.28 interview and interrogation; and</li> <li>1.1.29 equal protection and non-discrimination (homeless persons) and human trafficking.</li> </ul>
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Due Date	Training will be implemented as indicated in <b>Appendix C</b> – Training Implementation Process.
TCA Assessment	Prior-to-Service Education and Training Program (cadets) has been approved by the TCA and the Superintendent. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>



## B. Field Training Program:

## Activity IX.IV.B.1.1

IX.IV.B.1.1	<p>It will consist of a minimum of eighty (80) contact hours, which include both theory and practice. The Training and Re-training Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 12)</p> <ul style="list-style-type: none"> <li>1.1.1 Agreement requirements;</li> <li>1.1.2 introduction to the Field Training Program;</li> <li>1.1.3 use of force and use-of-force incident reports;</li> <li>1.1.4 reports and forms;</li> <li>1.1.5 criminal law and criminal procedure;</li> <li>1.1.6 civil rights (focused on protections against unreasonable searches and seizures and equal protection and non-discrimination);</li> <li>1.1.7 Traffic Act and traffic stops;</li> <li>1.1.8 sexual harassment and other prohibited employment practices;</li> <li>1.1.9 criminal investigation;</li> <li>1.1.10 supervision and management;</li> <li>1.1.11 arrests and citations;</li> <li>1.1.12 mechanics of the arrest;</li> <li>1.1.13 searches and seizures;</li> <li>1.1.14 community policing (effective conflict resolution techniques);</li> <li>1.1.15 interaction with transgender and transsexual persons;</li> <li>1.1.16 intervention with foreigners;</li> <li>1.1.17 weapons authorized by the PRPB;</li> <li>1.1.18 police ethics;</li> <li>1.1.19 crisis intervention;</li> <li>1.1.20 Operations Manual of the Field Training Program; and</li> <li>1.1.21 basic teaching techniques.</li> </ul>
Due Date	Training will be implemented as indicated in <b>Appendix C</b> – Training Implementation Process.
TCA Assessment	The Training and Retraining Program has been developed and implemented by PRPB and approved by the TCA and the Superintendent. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>

	The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan
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## Activity IX.IV.B.2.1

IX.IV.B.2.1	Phase I – Integration – Response to Incidents Not Constituting an Emergency; Phase II – Response to Incidents Constituting an Emergency; Phase III – Activities while Patrolling; and Phase IV – Criminal Investigations. (Table 13)
Due Date	Training will be implemented as indicated in <b>Appendix C</b> – Training Implementation Process.
TCA Assessment	The TCA has been monitoring PRPB’s progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## V. In-Service Training and Re-training Development and Implementation Objectives:

## Activity IX.V.1.1

IX.V.1.1	<p>The PRPB, through the SAEA, will create a Multi-topic Training Program to develop employees' ethical and professional thinking and values with the collaboration of the Office of Government Ethics (OGE), as stipulated in the Mutual-Aid Agreement between the two agencies. These training courses will be part of the continuing education and certified as contact hours by the OGE. The Program will include, but will not be limited to, the following topics:</p> <ul style="list-style-type: none"> <li>1.1.1 General Order 617 – MPRPB Code of Ethics;</li> <li>1.1.2 Police Ethics and Integrity;</li> <li>1.1.3 Ethical Leadership;</li> <li>1.1.4 Ethical Attitudes in the Workplace;</li> <li>1.1.5 Ethical Principles in Management and Supervision (this training course is contemplated in the <b>Supervision and Management</b> Compliance Area Action Plan);</li> <li>1.1.6 Managing Emotions for Ethical Coexistence;</li> <li>1.1.7 Community Policing Principles (this training course is contemplated in the <b>Community Engagement and Public Information</b> Compliance Area Action Plan);</li> <li>1.1.8 Techniques to guide and manage MPRPBs in an effective manner and promote effective and ethical police practices (effective supervision) (this training is contemplated in the <b>Supervision and Management</b> Compliance Area Action Plan); and</li> <li>1.1.9 Federal and Commonwealth discrimination legislation and PRPB policy (this training is contemplated in the <b>Equal Protection and Non-Discrimination</b> Compliance Area Action Plan).</li> </ul>
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has not complied with the requirement outlined in the Action Plan in its totality.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity IX.V.1.2

IX.V.1.2	<p>The PRPB, through the SAEA, will create a <b>Training Program for all members of the Promotion Exams Board</b> to guarantee that promotions in the PRPB will be in keeping with equal employment opportunity principles and discrimination legislation and comply with the three (3) areas of educational activities—cognitive, affective, and psychomotor—needed to perform successfully the management and supervisory tasks related to the requirements of the rank that the candidates wish to obtain. The Program will include, but will not be limited to, the following topics:</p> <p>1.2.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department;</p> <p>1.2.2 designing exams to measure cognitive activities;</p> <p>1.2.3 <i>(this was blank in the master document)</i></p> <p>1.2.4 drafting questions that will measure knowledge, comprehension, application, and analysis; and</p> <p>1.2.5 designing and preparing question banks for each topic that will be examined.</p>
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPD's progress. PRPD has not complied with the requirement outlined in the Action Plan. The TCA has not reviewed a training program for all members of the Promotions Exams Board.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity IX.V.1.3

IX.V.1.3	The SAEA will create a Multi-topic Training Program to train <b>MPRPBs who have passed the promotion exams</b> before assuming the responsibilities of their new rank. The Program will be designed taking into consideration the profile corresponding to each rank and will consist of at least forty (40) contact hours. <b>These training courses will be contemplated in the Supervision and Management Compliance Area Action Plan.</b>
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in partial compliance</b> with this detailed step of the Action Plan

Training Implementation Activities:  
Activity IX.V.1.3

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of PRPB personnel to <b>develop ethical and professional thinking and values</b> through and with the collaboration of the personnel from the Office of Government Ethics Ethical Thinking Development Center (CDPE, Spanish acronym). The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Professionalization Action Plan</b> .
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Professionalization Action Plan

**B. Use of Force Compliance Area**  
**Training Development Activities:**

1.1	<p>To achieve a reduction in use-of-force incidents, promote professionalization, [achieve] equality in the provision of services, and restore the community's trust, all Members of the PRPB will be trained in use of force at least every two (2) years during the first four (4) years after the Agreement herein comes into effect. Thereafter, all use-of-force policies and training will be evaluated one (1) time per year so that they conform to the applicable law and generally accepted police practices. The training courses corresponding to this compliance area are detailed below:</p> <ul style="list-style-type: none"> <li>1.1.1 Review Training on the Use and Handling of Impact Weapons;</li> <li>1.1.2 Review Training on the Use and Handling of Chemical Agents;</li> <li>1.1.3 Develop Training Program for the Members of the Force Review Board;</li> <li>1.1.4 Review Training on the Use and Handling of Service Weapons;</li> <li>1.1.5 Review Training on the Use and Handling of Electronic Control Weapon;</li> <li>1.1.6 Review Training on Use-of-Force Rules and Investigation Report on Use-of-Force Incidents by Members of the Puerto Rico Police Department;</li> <li>1.1.7 Develop Training for Force Investigation Unit;</li> <li>1.1.8 Develop Multi-topic Training on the Mobilization of the Tactical Operations Unit;</li> <li>1.1.9 Develop Multi-topic Training on the Mobilization of the Division of Special Weapons and Tactics ("SWAT");</li> <li>1.1.10 Develop Training on Less-Lethal Munitions and Other Technology;</li> <li>1.1.11 Develop Training on Crowd Control and Incident Management for MPRPBs and Specialized Tactical Units;</li> <li>1.1.12 Develop Training on Rules for the Management of Police Pursuits;</li> <li>1.1.13 Develop Training on Driving Vehicles in Emergency Situations and Police Pursuits;</li> <li>1.1.14 Develop Training for Patrol Dog Handlers;</li> <li>1.1.15 Develop Training on the Use and Management of the Automated System to Prepare Electronic Incident Reports (this activity will be carried out in accordance with the <b>Equal Protection and Non-Discrimination Acton Plan</b>);</li> <li>1.1.16 Develop Training for Behavioral or Mental Health Crisis Response for MPRPBs belonging to the CIT (this activity will be carried out in accordance with the <b>Use of Force Action Plan</b>); and</li> <li>1.1.17 Develop Training on Behavioral or Mental Health Crisis Response for MPRPBs (this activity will be carried out in accordance with the <b>Use of Force Action Plan</b>).</li> </ul>
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Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA rating	See Use of Force Action Plan

#### Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>MPRPBs</b> . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. Priority groups for training and re-training are established in the <b>Use of Force Action Plan</b> .
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Use of Force Action Plan

## C. SEARCHES AND SEIZURES COMPLIANCE AREA

## Training Development Activities:

1.1	<p>To achieve a reduction of civil right violation incidents, promote professionalization, achieve equality in the provision of services, and strengthen the community's trust, the PRPB will train all its members on the corresponding arrest, search, and seizure policies at least every two years during the first four years after this Agreement comes into effect, and on a yearly basis thereafter. The training courses will be evaluated on a yearly basis so that they are in keeping with the applicable law and generally accepted police practices. The design of the training courses mentioned below is included and duly explained in the Searches and Seizures Action Plan. The Program will include, but will not be limited to, the following topics:</p> <p>1.1.1 Training on General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Citations";</p> <p>1.1.2 Training on General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to conduct Searches and Seizures."</p> <p>1.1.3 Training Program for Supervisors and High-Ranking Officers on the policies, writing techniques, and review of arrests, searches, and seizures reports.</p> <p>1.1.4 Training on General Order entitled "Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence" with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, to the collection thereof, until it is presented at trial. <b>This activity is included in the Searches and Seizures Compliance Area Action Plan;</b> and</p> <p>1.1.5 Training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.</p>
Due Date	See Schedules B & C.

TCA Assessment	<p>The TCA has been monitoring PRPB's progress. To date PRPB has complied with 1.1.1 through 1.1.4 the requirement outlined in the Action Plan and the Agreement.</p> <p>1.1.5 Training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels has not been developed.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Search and Seizure Action Plan

#### Training Implementation Activities:

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>MPRPBs</b>. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Searches and Seizures Action Plan</b>.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Search and Seizure Action Plan

## D. EQUAL PROTECTION AND NON-DISCRIMINATION COMPLIANCE AREA

## Training Development Activities

1.1	<p>To provide police services in an equitable, respectful, and unbiased manner, with greater professionalization; promote more trust in the community; and do more crime prevention, training courses will be developed for PRPB personnel based on best practices, without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, or political beliefs or affiliation in accordance with the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the United States and the Commonwealth. The training courses corresponding to this compliance area are detailed below:</p> <p>1.1.1 Training on the PRPB Internal Regulations to Prevent Harassment, Discrimination, and Retaliation;</p> <p>1.1.2 PRPB Regulations to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation;</p> <p>1.1.3 Training on Investigation of Domestic Violence Incidents;</p> <p>1.1.4 Training on Investigation of Sexual Assault Incidents;</p> <p>1.1.5 Training on Identification of and Intervention with Persons from the Transgender, Transsexual, and Intersexual Community;</p> <p>1.1.6 Training on Intervention with Foreigners;</p> <p>1.1.7 Training on Use of Automated System to Prepare Electronic Incident Reports (NIBRS), <b>as established in the Implementation Plan developed by the BT;</b></p> <p>1.1.8 Training on Techniques to Collect Demographic Information;</p> <p>1.1.9 Training on Hate Crime Data Collection, Management, and Investigation;</p> <p>1.1.10 Training on Investigation of Incidents at Juvenile Institutions Related to Complaints of Institutional Abuse and/or Negligence against Minors in Institutions for Juvenile Delinquents.</p>
Due Date	Training not yet due.
TCA Assessment	Syllabus equal protection and non-discrimination training development objective on March 2017 was referred to the TCA for review and approval including CAD 101-System Operator Data Collection. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

1.2	<p>Multi-topic Training Program aimed at <b>MPRPBs</b> will be offered every two (2) years during the first (4) years of the Agreement, and once a year thereafter. The <b>core topics that will sequentially make up the training will include, but will not be limited to, the following:</b></p> <p>1.2.1 constitutional rights and other legal principles related to equal protection and non-discrimination included in federal and state legislation;</p> <p>1.2.2 protection of civil rights as a cornerstone of the police mission;</p> <p>1.2.3 suspicious, arbitrary, and stereotypical classifications;</p> <p>1.2.4 unbiased police conduct;</p> <p>1.2.5 community perspective on discriminatory police conduct;</p> <p>1.2.6 key points and critical aspects of prohibition against discrimination that could have an effect on incidents and at operational planning levels;</p> <p>1.2.7 interaction with diverse populations, including the homeless, economically disadvantaged people, and the LGBTTIQ community, among others; and</p> <p>1.2.8 methods, strategies, and techniques to reduce misunderstandings, conflicts, and complaints resulting from perception of bias or discrimination.</p>
Due Date	See Schedules B & C.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

1.3	<p>Training courses for <b>PRPB personnel belonging to the Classified System</b> (civilian employees). The Program will include, but will not be limited to, the following topics:</p> <p>1.3.1 Training on PRPB Internal Regulations to Prevent Harassment, Discrimination, and Retaliation; and</p> <p>1.3.2 PRPB Regulations to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation.</p>
Due Date	Training not yet due.

TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

1.4	<p>Multi-topic training aimed at <b>PRPB personnel belonging to Classified System (civilian employees)</b> will be offered every two (2) years during the first four (4) years of the Agreement, and once a year thereafter. The <b>core topics that will sequentially make up the training include the following:</b></p> <p>1.4.1 constitutional rights and other legal principles related to equal protection and non-discrimination included in federal and state legislation, such as Title VII;</p> <p>1.4.2 interaction with diverse populations, including the homeless, economically disadvantaged people, and the LGBTTIQ community, among others; and</p> <p>1.4.3 methods, strategies, and techniques to reduce misunderstandings, conflicts, and complaints resulting from perception of bias or discrimination.</p>
Due Date	See Schedules B & C.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

## Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>MPRPBs</b> . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Equal Protection and Non-Discrimination Action Plan</b> .
Due Date	Training not yet due.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

## E. RECRUITMENT, SELECTION, AND HIRING COMPLIANCE AREA

## Training Development Activities:

1.1	<p>The SAEA will <b>develop a multi-topic training course</b> aimed at the personnel who will work on the various phases of the recruitment process, which will address the following topics:</p> <p>1.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements, and rules and procedures to follow in each phase of the process);</p> <p>1.1.2 phases of recruitment process;</p> <p>1.1.3 guidance on effective recruitment interview techniques;</p> <p>1.1.4 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>1.1.5 candidate profile;</p> <p>1.1.6 informational guide on recruitment process; and</p> <p>1.1.7 techniques to interview members of community organizations.</p>
Due Date	Training not yet due.
TCA Assessment	PRPB has not approved a recruit class for 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

1.2	<p>The SAEA will <b>create a field investigations training course</b> together with personnel from the Office of Safety and Protection assigned to SAIC in order to train investigators on criminal record investigation techniques and PRPB candidate recruitment procedures to professionalize the personnel and restore the community's trust and help provide police services in an equitable, respectful, and unbiased manner in accordance with generally accepted police practices.</p>
Due Date	Training not yet due.
TCA Assessment	PRPB has not approved a recruit class for 2018.



Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

#### Training Implementation Activities:

1.1	The recruitment officer assigned by the PRPB superintendent will be the director of Division of Recruitment, who will be responsible for implementing the <b>General Order for the MPRPB Recruitment Program</b> along with a task force that includes officers with various work experiences to establish alliances with historically unrepresented groups in the PRPB. The priority groups for training and re-training are established in the <b>Recruitment, Selection, and Hiring Action Plan</b> .
Due Date	Training not yet due.
TCA Assessment	General Order on recruitment has been developed, approved by the TCA, but has yet to be approved by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

#### F. POLICIES AND PROCEDURES COMPLIANCE AREA

##### Training Development Activities:

1.1	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train <b>all MPRPBs assigned to SAIC</b> on the law, applicable case law, and the rules and procedures to follow when conducting criminal investigations. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> <li>1.1.1 criminal law;</li> <li>1.1.2 Rules of Criminal Procedure;</li> <li>1.1.3 evidence law;</li> <li>1.1.4 constitutional and civil rights;</li> <li>1.1.5 criminal investigation techniques;</li> <li>1.1.6 interview and interrogation techniques;</li> </ul>
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	<p>1.1.7 scene work;</p> <p>1.1.8 court testimony;</p> <p>1.1.9 criminal photography; and</p> <p>1.1.10 preparation of files and reports.</p> <p>MPRPBs assigned to the SAIC will also take training corresponding to the following policies during the period established on the timeline</p> <p>1.1.11 General Order, Chapter 100, Section 107, entitled “Creation of the Office of the Assistant Superintendent for Criminal Investigations”; and</p> <p>1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.</p>
Due Date	Training not yet due.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs <b>belonging to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons</b> about the following topics:</p> <p>1.2.1 criminal law;</p> <p>1.2.2 Rules of Criminal Procedure;</p> <p>1.2.3 evidence law;</p> <p>1.2.4 criminal investigation techniques;</p> <p>1.2.5 interview and interrogation techniques;</p> <p>1.2.6 Special Confidential Order 2010-1;</p> <p>1.2.7 police corruption;</p> <p>1.2.8 identification of controlled substances;</p> <p>1.2.9 undercover operations;</p> <p>1.2.10 controlled substance sale surveillance;</p> <p>1.2.11 court testimony;</p> <p>1.2.12 forensic photography and video</p> <p>1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and</p>
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	1.2.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.
Due Date	See Schedules B & C.
TCA Assessment	Training module not yet developed. Operations Manual is being worked on.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at <b>all MPRPBs</b> on the law, applicable case law, and the rules and procedures to follow when conducting <b>traffic stops</b> in various scenarios, answering emergency calls, and inspecting motor vehicles, among others
Due Date	See Schedules B & C.
TCA Assessment	Training course reference traffic stops has not been reviewed by the TCA
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.4	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at <b>all MPRPBs</b> on the <b>Uniform Crime Reporting Handbook (NIBRS)</b> .
Due Date	See Schedules B & C.

TCA Assessment	NIBRS Handbook was approved in January 2016, pending approval by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

### Training Implementation Activities;

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all <b>MPRPBs assigned to the SAIC about topics included in the Multi-topic Program</b>. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The Multi-topic Training Program to be implemented will be about the following topics:</p> <ul style="list-style-type: none"> <li>1.1.1 criminal law;</li> <li>1.1.2 Rules of Criminal Procedure;</li> <li>1.1.3 evidence law;</li> <li>1.1.4 constitutional and civil rights;</li> <li>1.1.5 criminal investigation techniques;</li> <li>1.1.6 interview and interrogation techniques;</li> <li>1.1.7 scene work;</li> <li>1.1.8 court testimony;</li> <li>1.1.9 criminal photography;</li> <li>1.1.10 preparation of files and reports;</li> <li>1.1.11 General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations"; and</li> <li>1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.</li> </ul>
Due Date	See Schedules B & C.
TCA Assessment	Training material not yet developed.

Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs <b>assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons</b>. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval.</p> <p>The Multi-topic Training Program that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> <li>1.2.1 criminal law;</li> <li>1.2.2 Rules of Criminal Procedure;</li> <li>1.2.3 evidence law;</li> <li>1.2.4 criminal investigation techniques;</li> <li>1.2.5 interview and interrogation techniques;</li> <li>1.2.6 Confidential Special Order 2010-1;</li> <li>1.2.7 police corruption</li> <li>1.2.8 identification of controlled substances;</li> <li>1.2.9 undercover operations;</li> <li>1.2.10 controlled substance sale surveillance;</li> <li>1.2.11 court testimony;</li> <li>1.2.12 forensic photography and video;</li> <li>1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and</li> <li>1.2.14 Operational Manual for establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.</li> </ul>
Due Date	Training not yet due.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.

Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs</b> on the law, applicable case law, and the rules and procedures that must be followed when conducting <b>traffic</b> stops in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval
Due Date	See Schedules B & C.
TCA Assessment	Training course reference traffic stops has not been reviewed by the TCA.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of <b>all MPRPBs</b> on the <b>Uniform Crime Reporting Handbook (NIBRS)</b> . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval.
Due Date	See Schedules B & C.

TCA Assessment	Training materials has not been approved yet
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

### Training Development Activities

1.1	<p>The SAEA will create a Multi-topic Training Program to train MPRPBs <b>who have passed the promotion exams from the rank of sergeant to captain</b> before they assume the responsibilities of their new rank. This Program will be designed taking into consideration the powers, responsibilities, and duties of each rank and will consist of at least forty (40) contact hours. This activity will depend on the availability of vacant positions approved to be filled according to the budget. These training courses will include the following topics, pursuant to the Agreement:</p> <ul style="list-style-type: none"> <li>1.1.1 management;</li> <li>1.1.2 supervision;</li> <li>1.1.3 leadership;</li> <li>1.1.4 chain of command; and</li> <li>1.1.5 equal employment opportunity (EEO). <b>This training is included in Objective II-1 of Training Development in the Equal Protection and Non-Discrimination Action Plan, activity 1.1, 1.1.1, and 1.1.2.</b></li> </ul>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	<p>The SAEA will create a Multi-topic Program to <b>train all PRPB supervisory personnel</b> taking into consideration the inherent duties of each rank. This Program will be aimed at their level of supervision and management and will include the following topics:</p> <p>1.2.1 techniques to guide and direct MPRPBs effectively and promote effective and ethical police practices (effective supervision);</p> <p>1.2.2 reduce conflict intensity (conflict mediation);</p> <p>1.2.3 evaluation of written reports (reports and forms);</p> <p>1.2.4 risk assessment and management;</p> <p>1.2.5 performance evaluation process;</p> <p>1.2.6 selection and annual award of outstanding employees;</p> <p>1.2.7 applying appropriate, non-punitive disciplinary sanctions and corrective actions. <b>This activity is included in the Administrative Complaints Compliance Area Action Plan;</b></p> <p>1.2.8 use of the Early Identification System (EIS) to facilitate direct and effective supervision. <b>This training will be designed once the System is running;</b></p> <p>1.2.9 dissemination of Public Information. <b>This training is included in the Community Engagement and Public Information Compliance Area Action Plan;</b></p> <p>1.2.10 Procedures Manual regarding supervisor powers, duties, and responsibilities;</p> <p>1.2.11 Equal Employment Opportunity (EEO). <b>This training is included in the Equal Protection and Non-Discrimination Action Plan, activity 1.1, 1.1.1, and 1.1.2;</b> and the</p> <p>1.2.12 Executive Committee Interagency Memorandum.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2.13 1.3	<p>Every year after these trainings, the <b>MPRPBs with supervisory or management duties</b> will be trained for a minimum of forty (40) contact hours on topics based on the identified needs or trends existing at the time preceding the training. The elements that may be incorporated include: an analysis of factors, including, but not limited to, MPRPB</p>
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	safety, community concerns, use of force statistics, internal affairs statistics, court decisions, and latest trends in the application of the law, as well as the feedback received from the Interagency Executive Committee and the Citizen Engagement Committees (CICs [Spanish acronym])), among others.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3 1.4	The SAEA will create a course to have its certified instructors train all PRPB personnel who carry out management and supervisory duties on the General Order and the Early Identification System (EIS) Procedures Manual.
Due Date	See Schedules B & C.
TCA Assessment	PRPB has yet to provide the TCA training materials and the EIS Procedures Manual to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.4 1.5	The SAEA will create a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual, as well as on the procedures to be followed.
Due Date	See Schedules B & C.

TCA Assessment	PRPB has not developed training materials on the Operational and Administrative Inspections Procedures Manual.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

### Training Implementation Activities

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train one hundred percent (100%) of <b>MPRPBs who have passed the promotion exams</b> before they assume the responsibilities of their new rank. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the MRPBs <b>who perform supervisory and management duties (activities 1.3 and 1.4)</b> at their level of management. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by
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	each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Supervision and Management Action Plan</b> .
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs <b>assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual</b> at the level of management they perform. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	See Schedules B & C.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

#### H. ADMINISTRATIVE COMPLAINTS, INTERNAL INVESTIGATIONS, AND DISCIPLINE COMPLIANCE AREA

## Training Development Activities:

1.1	<p>The SAEA will create a Multi-topic Training Program to <b>train SARP and OLA personnel</b> on the procedure to receive, classify, process, and manage a complaint for improper conduct and the process of investigating administrative complaints. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> <li>1.1.1 criminal law;</li> <li>1.1.2 criminal procedure;</li> <li>1.1.3 evidence law;</li> <li>1.1.4 constitutional rights;</li> <li>1.1.5 criminal investigation techniques;</li> <li>1.1.6 administrative investigation techniques;</li> <li>1.1.7 cybercrime;</li> <li>1.1.8 scene work;</li> <li>1.1.9 criminal photography; and</li> <li>1.1.10 preparation of files and reports.</li> </ul>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.2	<p>After the approval of the Training Program and the incorporation of the recommendations, the SAEA will continue providing training on the topics corresponding to the following policies:</p> <ul style="list-style-type: none"> <li>1.2.1 training on the procedure to follow to promote collaboration from PRPB employees in the administrative complaint process when criminal proceedings have not been initiated;</li> <li>1.2.2 training on the new "Regulations to Receive, Process, and Manage Administrative Complaints";</li> <li>1.2.3 training on the Administrative Complaint Investigation Procedures Manual;</li> <li>1.2.4 training on the Public Information Program regarding the Filing of Administrative Complaints</li> </ul>
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	<p>1.2.5 training on the Code of Ethics and Conduct that will be used to determine minor and major offenses and impose disciplinary sanctions;</p> <p>1.2.6 training on the Administrative Order for the Investigation, Management, and Adjudication of Minor Offenses by Supervisors; and</p> <p>1.2.7 training on the amendments to the Controlled Substances Detection Program for Officials and Employees of the PRPB Regulations in relation to detecting anabolic steroids.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.3	<p>Multi-topic course to train the personnel <b>who perform management and supervisory duties</b> on the procedure supervisors are to follow when they learn that a citizen intends to file an administrative complaint, the time frames supervisors have to hand in a complaint filed for their consideration, and their authority to investigate and take non-punitive corrective or disciplinary measures when they learn about minor offenses or violations of PRPB policies. The responsibilities of high-ranking officers in relation to the evaluation of the investigations, the corrective measures to be taken, and the identification of deficiencies will be part of the training, which will also include learning about the duty to document and inform the SARP about improper conduct, the consequences of refusing to accept a complaint or providing false or deceitful information about a complaint for improper conduct, and the prohibition against retaliating in any way against an MPRPB who reports improper conduct.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements

TCA Rating	See Administrative Complaints Action Plan
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1.4	Multi-topic course to train <b>PRPB personnel</b> on the requirement to report any conduct perceived as improper, the consequences of refusing to accept a complaint or providing false information, their duty to cooperate with any administrative investigation pursuant to the ruling in the case of <i>Garrity v. New Jersey</i> , and the existing mechanisms to file complaints for improper conduct or report the good performance of any MPRPB.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review .
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.5	Orientation session to inform <b>PRPB personnel who perform supervisory and management duties</b> how to manage stress to prevent critical incidents and the support and mental health services available to them and their families.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

**Training Implementation Activities:**

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the PRPB personnel. The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Administrative Complaints, Internal Investigations, and Discipline Action Plan</b> .
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

**H. COMMUNITY INTERACTION AND PUBLIC INFORMATION COMPLIANCE AREA****Training Development Activities:**

1.1	To obtain the assistance, advice, and recommendations of the members of the different community sectors; restore the trust of the communities in the PRPB; and foster solid relationships with said communities, Multi-topic Seminars will be developed for the members of the Community Interaction Councils (CICs [Spanish acronym]). The design of the training courses mentioned below is included and duly explained in the <b>Community Interaction and Public Information Action Plan</b> .
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.

Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop Multi-topic Seminars for the members of the CICs on the following topics:</p> <ul style="list-style-type: none"> <li>1.2.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department;</li> <li>1.2.2 duties and Responsibilities of the Community Interaction Councils, in accordance with GO 801;</li> <li>1.2.3 parliamentary procedure;</li> <li>1.2.4 principles of community policing;</li> <li>1.2.5 S.A.R.A. Problem-Solving Model;</li> <li>1.2.6 creation and preservation of community alliances;</li> <li>1.2.7 functioning of the rank system;</li> <li>1.2.8 PRPB flowchart;</li> <li>1.2.9 duties and responsibilities of the Investigation Units, Specialized Units, Precincts, and Districts;</li> <li>1.2.10 duties and responsibilities of the Office of Reform, TCA, and the USDOJ;</li> <li>1.2.11 administrative complaint filing process;</li> <li>1.2.12 use of force;</li> <li>1.2.13 rights of the individual during searches and seizures;</li> <li>1.2.14 civil rights;</li> <li>1.2.15 crime victim services;</li> <li>1.2.16 PRPB recruitment process;</li> <li>1.2.17 duties and responsibilities of the Community Safety Councils;</li> <li>1.2.18 General Plan for the Implementation of the Community Outreach and Public Information Program; and the</li> <li>1.2.19 Uniform Crime Reporting Handbook (NIBRS).</li> </ul>
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.



TCA Rating	See Administrative Complaints Action Plan
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1.3	<p>The Office of the Assistant Superintendent for Education and Training will create a Multi-topic Training Program to train the MPRPBs on the principles of community policing. The Program will include the following topics:</p> <ul style="list-style-type: none"> <li>1.3.1 Principles of community policing;</li> <li>1.3.2 S.A.R.A. Problem-Solving Model;</li> <li>1.3.3 creation and continuation of community alliances;</li> <li>1.3.4 identifying factors that affect quality of life and may affect criminal activity;</li> <li>1.3.5 diverse populations in Puerto Rico;</li> <li>1.3.6 cultural awareness and tolerance towards the communities;</li> <li>1.3.7 identifying their prejudices;</li> <li>1.3.8 effective meeting development;</li> <li>1.3.9 basic elements of the communication process during conflict management;</li> <li>1.3.10 conflict-solving strategies;</li> <li>1.3.11 managing difficult conversations;</li> <li>1.3.12 managing and channeling emotions; and</li> <li>1.3.13 right to freedom of expression.</li> </ul>
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.4	<p>The Office of the Assistant Superintendent for Education and Training will create a Multi-topic Training Program for the personnel who work <b>at the Central Press Office, in the Areas, and for the high-ranking officers</b> of the PRPB, about the dissemination of public information and about incidents or ongoing investigations from a community perspective and said training will include practical police Q &amp; A scenarios before the press. The Program will include the following topics:</p>
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	1.4.1 freedom of the press; 1.4.2 right to privacy; 1.4.3 defamation and libel; 1.4.4 ethics in the dissemination of information; 1.4.5 what and when something is public information; 1.4.6 importance of the media in solving criminal cases; 1.4.7 dissemination of public information in ongoing situations; 1.4.8 protecting victim and witness information; 1.4.9 drafting press releases; 1.4.10 oral communication in the media; 1.4.11 use of electronic media to disseminate public information; 1.4.12 image portrayed in the media; and 1.4.13 media management and interviews.
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.5	<p>The Office of the Assistant Superintendent for Education and Training will create training for the personnel that performs <b>management and supervisory</b> duties at the PRPB about the dissemination of public information and about incidents or ongoing investigations from a community perspective and said training will include practical police Q &amp;</p> <p>A scenario before the press. The Program will include the following topics:</p> 1.5.1 freedom of the press; 1.5.2 right to privacy; 1.5.3 defamation and libel; 1.5.4 ethics in the dissemination of information; 1.5.5 what and when something is public information; 1.5.6 importance of the media in solving criminal cases; 1.5.7 dissemination of public information in ongoing situations; 1.5.8 protecting victim and witness information;
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	1.5.9 oral communication in the media; 1.5.10 image portrayed in the media; and 1.5.11 media management and interviews.
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

#### Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the community policing training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the personnel. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Public Information Action Plan</b> .
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

#### H. INFORMATION SYSTEMS AND TECHNOLOGY COMPLIANCE AREA

## Training Development Activities:

1.1	Develop training for the administration, configuration, and diagnosis of radio communication equipment aimed at the personnel of the Communications Division of the Bureau of Technology and Communications of the PRPB.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19. Training not yet due. The design and training development are expected to be submitted to the TCA for approval on time.
Recommendations	Continue to monitor.
TCA Rating	See IT Action Plan

1.2	Develop training for the use and handling of the radio communication equipment at the PRPB aimed at MPRPBs.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19. The design and training development are expected to be submitted to the TCA for approval on time.
Recommendations	Continue to monitor.

TCA Rating	See IT Action Plan
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1.3	Develop training for the administration and diagnosis of the computerized systems of the Puerto Rico Police Department aimed at the personnel of the Technology Division of the Bureau of Technology and Communications of the PRPB. (Table 17)_
Due Date	May 2017 Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-403 signed Dec 19, 2016. Training start projection June 2017. First 50% trained is targeted June 2018, second 50% targeted June 2019
Recommendations	Continue to monitor.
TCA Rating	See IT Action Plan

1.4	Develop training on the Manual for the Use and Handling of the Computerized Systems of the Puerto Rico Police Department, geared toward the MPRPBs and the employees of the PRPB classified system. (Table 18).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	Projected start of training is June 2017, 50% complete June 2018, 100% June 2019
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.5	Develop training on the Manual for the Use and Handling of the Central Repository for Crime Data Analysis (CIW) at the Puerto Rico Police Department, aimed at the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center, the Crime Statistics Division, as well as for the employees who collect statistical data in the Police Areas. (Table 19)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	Pending review.
Recommendations	Continue monitoring
TCA Rating	See IT Action Plan

1.6	Develop training on accessing and using <b>the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR)</b> aimed at MPRPBs (Table 20).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	Pending review.
Recommendations	Continue monitoring
TCA Rating	See IT Action Plan

1.7	Develop training on accessing and using the criminal activity map aimed at MPRPBs. (Table 21).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .

TCA Assessment	Pending review.
Recommendations	Continue monitoring.
TCA Rating	See IT Action Plan

#### Training Implementation Activities:

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs and the employees assigned to the Bureau of Technology and Communications</b>. The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The training that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> <li>a. use and handling of radio communications equipment;</li> <li>b. use and management of the computerized systems of the Puerto Rico Police Department.</li> </ul> <p>The priority groups for training and re-training are established in the <b>Information Systems and Technology Action Plan</b>.</p>
Due Date	See Schedules B & C. The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the use and handling of radio communications equipment.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>the employees assigned to the Communications Division</b> on the <b>administration, configuration, and diagnosis of radio communications equipment</b> . The remaining fifty percent (50%) of the <b>employees assigned to the Communications Division</b> will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the <b>administration, configuration, and diagnosis of radio communications equipment</b> .
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>the employees assigned to the Technology Division</b> on the <b>administration and diagnosis of the computerized systems of the PRPB</b> . The remaining fifty percent (50%) of the <b>employees assigned to the Technology Division</b> will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.



TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the <b>administration and diagnosis of the computerized systems of the PRPB.</b>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center; the Crime Statistics Division; as well as the employees who collect statistical data in the Police Areas and Offices of the Assistant Superintendents on the Handbook for the Use and Handling of the Central Crime Information Warehouse (CIW).</b> The remaining fifty percent (50%) of the members of the PRPB and employees of the PRPB classified system will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the <b>Handbook for the Use and Handling of the Central Crime Information Warehouse (CIW), employees assigned to the center for the analysis of crime activity and crime monitoring, the criminal intelligence collection.</b>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.5	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs on the Use and Management of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR)</b> . The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Information Systems and Technology Action Plan</b> .
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the <b>Use and Management of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR)</b> .
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.6	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs on the Use and Management of the Crime Mapping Application</b> . The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the <b>Information Systems and Technology Action Plan</b> .
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Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide TCA with adequate evidence of materials concerning a training course reference handling of radio communications equipment
Recommendations	
TCA Rating	See IT Action Plan

## II. IMPLEMENTATION OBJECTIVES

1.1	<p>Develop and implement an information sub-system for keeping digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop trainings and re-training courses at the SAEA. This sub-system will enable document storage by category and access level. This activity is included in the Training Action Plan. (Table 35)</p> <p>The focus and scope of the information system that will be developed to maintain digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop training and re-training courses are described in the following phases:</p>
Due Date	December 2016
TCA Assessment	In development but needs to be merged with HR system (Kronos) The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan
Recommendations	Continue effort.
TCA Rating	See IT Action Plan

1.2	Develop and implement an information sub-system to offer virtual (online) training and/or re-training, in order to maximize MPRPB service time and provide greater accessibility and flexibility so that they may fulfill their work commitments without affecting the performance and quality of the services they offer to the community. This activity is included in the Training Compliance Area Action Plan.
Due Date	12 months after the corresponding policies have been approved.
TCA Assessment	<p>Contract for on-line training awarded to Natl Univ College. Work started to develop training packages. The first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible. The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p> <p>PRPB comment: the first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible.</p>
Recommendations	Continue monitoring.
TCA Rating	See IT Action Plan

## II. SELF ASSESSMENT OBJECTIVES:

1.1	<p>The PRPB, through the Office of Reform, will evaluate the effectiveness of the rules and procedures adopted in its policies and the knowledge acquired in the training of PRPB employees. The results of these evaluations will be analyzed to measure the level of knowledge, attitudes, aptitudes, and abilities, identify if there is a substantial deficiency, and, if necessary, take the corrective actions in the policies, training, and re-training so that the procedures adopted are feasible, operationally enforceable, and sustainable. This activity will be conducted through an Evaluation Protocol on Compliance with Operational Programs Best Practices, which will help measure the effectiveness of the rules and training of PRPB employees by reviewing documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints with the purpose of ensuring that police services are provided in an equitable, respectful, and unbiased manner; attaining ongoing professionalization of Members of the PRPB; strengthening the community's trust; and effectively preventing crime,</p>
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	based on generally accepted police practices and without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity or gender expression, or political beliefs or affiliation and pursuant to the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the United States and the Commonwealth of Puerto Rico. <b>The development of this Protocol will be part of the Equal Protection and Non-discrimination Compliance Area Action Plan.</b>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.2	<p>The PRPB, through the Office of the Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others, it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents.</p> <ol style="list-style-type: none"> <li>a. Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be provided. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</li> <li>b. Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area to guarantee that the PRPB personnel are being</li> </ol>
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	<p>trained in keeping with the syllabi, instructor handbooks, presentations, and assessment methodology approved by the Technical Compliance Advisor.</p> <p>c. Making random visits to the Office of the Assistant Superintendent for Education and Training (SAEA) to check that the training records of the sworn and classified personnel, the curricula, and the lesson plans, among others, are maintained digitalized, centralized, updated, complete, and accurate and that the training records contain the course description and duration, curriculum, location of the training, and name of the instructor, among other details.</p>
Due Date	See Schedules B & C. Not yet due.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

## Compliance Tables for Supervision and Management Action Plan

### Section X. Supervision and Management Requirements: 135 to 158

#### Compliance Area Summary:

#### I. Policy and Procedure Development Objectives:

##### Activity X.I.1.1

X.I.1.1	Collaborate in the development of the <b>General Order on Detailed Job Description by Rank</b> and in establishing the requirements for the position of supervisor, clearly defining the supervisor duties, responsibilities, and minimum qualifications in keeping with generally accepted police practices. This policy will form part of the <b>Professionalization Compliance Area Action Plan</b> .
Due Date	October 2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA assessment has not reviewed a detailed job description by rank. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Professionalization Action Plan

## Activity X.I.1.2

X.I.1.2	Develop a <b>General Order on Supervisor Powers, Duties, and Responsibilities</b> establishing guidelines and clear strategies for effective and efficient supervision and management.
Due Date	October 2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA assessment has not reviewed a General Order on Supervisor Powers, Duties, and Responsibilities. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was <b>not met</b> .  The Commonwealth of Puerto Rico is in <b>non-compliance</b> .



## Activity X.I.2.1

X.I.2.1	Collaborate in the review of Regulation No. 4216, entitled “Puerto Rico Police Department Personnel Regulations”, Article 13, Section 14.2, and adapt the general rules that will govern the Performance Evaluation System for the Employees of the PRPB to the requirements provided in the Agreement for the Sustainable Reform. This policy will form part of the <b>Policies and Procedures Compliance Area Action Plan</b> .
Due Date	December 2016
TCA Assessment	The TCA has been monitoring PRPB’s progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA has not reviewed a PRPB personnel regulations, which will govern the Performance Evaluation System.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.I.2.2

X.I.2.2	Review General Order 2008-3, entitled “Rules and Procedures for the Evaluation of the Members of the Police and Classified Personnel”, to establish a specific system for accurately evaluating the performance of all PRPB employees. (Table 2)
Due Date	December 2016 <u>Current Effective Date:</u> 06/20/2018
TCA Assessment	The TCA has been monitoring PRPB’s progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA has not reviewed a specific system for accurately evaluating the performance of all PRPB employees. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.I.3.1

X.I.3.1	Develop a <b>General Order for the Creation of the Early Identification System</b> to establish procedures to support effective supervision and management that identifies risk conduct patterns in the employees of the Rank System and the Classified System, as well as to prevent and correct improper conduct.
Due Date	October 2017
TCA Assessment	In progress. The policy is undergoing full revision
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.I.3.2

X.I.3.2	Develop a <b>Procedures Manual for the Use of the Early Identification System</b> that establishes the correct way to operate the system and analyze the data obtained. (Table 4)
Due Date	November 2017
TCA Assessment	In progress. The policy is undergoing full revision. The PRPB is likely to request an extension and the manual should be scheduled for September 2018.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.I.4.1

X.I.4.1	Review General Order No. 2010-1, entitled “Reorganization of the Internal Audit Office” to ensure the establishment of an internal audit system that identifies administrative and operational deficiencies, analyzes contributing causes and factors, and for effective measures to be implemented.
Due Date	July 2016
TCA Assessment	approved
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this step of the Action Plan

## Activity X.I.4.2

X.I.4.2	Develop a Procedures Manual establishing <b>Guidelines for Operational and Administrative Inspections</b> and ensure that all offices and divisions of the PRPB receive the proper level of services based on the generally accepted police practices, seek operational efficiency, internal control, and promote a culture of organizational responsibility and improvement. This responsibility will rest with the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility.
Due Date	August 2016
TCA Assessment	<u>Compliance with the Activity:</u> 09/28/2018
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.I.5.1

X.I.5.1	Develop an Inter-Agency Memorandum among the PRPB, the federal and state justice systems, the Administrative Office of the Courts, the Municipal Police Commissioners to establish the Executive Coordination Committee.
Due Date	July 2016
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.II.1.1

X.II.1.1	The SAEA will create a course aimed at training all supervisory personnel and all MPRPB on equal employment opportunity. <b>This training is included in the Equal Protection and Non-Discrimination Action Plan.</b>
Due Date	<b>Session I:</b> Sergeants: October 2015 <b>Session II:</b> Captain and Lieutenant I: December 2015 <b>Session III:</b> Lieutenant II: January 2016
TCA Assessment	Training materials have been developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Equal Protection Action Plan



## Activity X.II.1.2

X.II.1.2	<p>The SAEA will create a Multi-Topic Training Program to train MPRPBs <b>who have passed the promotional exams from the rank of Sergeant to Captain</b> before they assume the responsibilities of their new rank. This Program will be designed taking into consideration the powers, responsibilities, and duties of each rank and will consist of at least forty (40) contact hours. This activity will depend on the availability of vacant positions approved to be filled according to the budget. These training courses will include the following topics, pursuant to the Agreement: (Table 8)</p> <p>1.1.1 Management;</p> <p>1.1.2 Supervision;</p> <p>1.1.3 Leadership;</p> <p>1.1.4 Chain of Command; and</p> <p>1.1.5 Equal Employment Opportunity (EEO). This <b>training is included in the Equal Protection and Non-Discrimination Action Plan activity 1.1, 1.1.1, and 1.1.2.</b></p>
Due Date	<p><b>Session I:</b> Sergeants: October 2015</p> <p><b>Session II:</b> Captain and Lieutenant I: December 2015</p> <p><b>Session III:</b> Lieutenant II: January 2016</p>
TCA Assessment	Training materials have been developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Equal Protection Action Plan

## Activity X.II.1.3

X.II.1.3	<p>The SAEA will create a Multi-Topic Training Program to <b>train all PRPB supervisory personnel</b>, taking into consideration the inherent duties of each rank. This Program will implement Action Plan Section X. Supervision and Management be aimed at their level of supervision and management and will include the following topics: (Table 9)</p> <p>1.3.1 Techniques to effectively guide and direct the MPRPBs and promote effective and ethical police practices (effective supervision);</p> <p>1.3.2 Reduce conflict intensity (conflict mediation);</p> <p>1.3.3 Evaluation of written reports (reports and forms);</p> <p>1.3.4 Investigation of use of force by MPRPBs.</p> <p>1.3.5 Responding to and investigating allegations of improper conduct by an MPRPB.</p> <p>1.3.6 Risk assessment and management;</p> <p>1.3.7 Performance evaluation process;</p> <p>1.3.8 Selection and annual award of outstanding employees;</p> <p>1.3.9 Applying appropriate non-punitive disciplinary sanctions and corrective actions. This activity is included in the Administrative Complaints Compliance Area Action Plan.</p> <p>1.3.10 Use of the Early Identification System (EIS) to facilitate direct and effective supervision. This training will be designed once the System is running;</p> <p>1.3.11 Dissemination of Public Information. This training is included in the Community Engagement and Public Information Compliance Area Action Plan.</p> <p>1.3.12 Procedures Manual regarding supervisor powers, duties, and responsibilities.</p> <p>1.3.13 Equal Employment Opportunity (EEO). This training is included in the Equal Protection and Non-Discrimination Action Plan activity 1.1, 1.1.1, and 1.1.2.</p> <p>1.3.14 Executive Committee Inter-agency Memorandum</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	Training materials have not been fully developed. Extension requested.
Recommendations	Continue review in accordance with Agreement requirements.

TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan. Once extension granted, the TCA will review its rating.
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## Activity X.II.1.4

X.II.1.4	Every year after these trainings, the MPPR <b>with supervisory or management duties</b> will be trained for a minimum of forty (40) contact hours on topics based on the identified needs or trends existing at the time prior to the training. The elements that may be incorporated include: an analysis of factors, including, but not limited to, MPRPB safety, community concerns, use of force statistics, internal affairs statistics, court decisions, and latest trends in the application of the law; as well as the feedback received from the Inter-Agency Executive Committee and the Citizen Engagement Committees, among others.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	Training materials have not been fully developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.II.2.1

X.II.2.1	The SAEA will create a course to train all MPRPBs who carry out supervisory and management duties on the General Order and the Procedures Manual for the Early Identification System (EIS) through instructors it has certified.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.II.3.1

X.II.3.1	The SAEA will create a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual, as well as on the procedures to be followed.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	The TCA has not reviewed a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity X.III.1.1

X.III.1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (100%) <b>of all MPRPBs who have passed the promotional exams</b> before they assume the responsibilities of their new ranks, through instructors it has certified. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan. (Table 13)
Due Date	<b>Session I:</b> Sergeants: October 2015 <b>Session II:</b> Captain and Lieutenant I: December 2015 <b>Session III:</b> Lieutenant II: January 2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b>

## Activity X.III.1.2

X.III.1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) <b>of all MPRPBs who perform supervisory and management duties</b> at their level of supervision, through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval. (Table 14)
Due Date	The trainings will be implemented as stated in <b>Appendix C–</b> Training Implementation Process.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b>



## Activity X.III.1.3

X.III.1.3	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <p>1.3.1 Personnel assigned to the Zones of Excellence (SAOC);</p> <p>1.3.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following:</p> <p>1.3.2.1 Number of use-of-force incidents per location;</p> <p>1.3.2.2 Number of domestic violence incidents per location;</p> <p>1.3.2.3 Number of interventions with intoxicated persons;</p> <p>1.3.2.4 Number of traffic stops;</p> <p>1.3.2.5 Number of arrests made;</p> <p>1.3.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion;</p> <p>1.3.2.7 Aggression against an MPRPB;</p> <p>1.3.2.8 Number of mass protests; and</p> <p>1.3.2.9 Distance from support units.</p> <p>1.3.3 Motorized Unit (SAOC).</p> <p>1.3.4 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>1.3.5 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	In progress; pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity X.III.1.4

X.III.1.4	<p>The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units:</p> <p>1.4.1 Personnel assigned to the Office of the Superintendent;</p> <p>1.4.2 Division of Tactical Operations – DTO (SAOC);</p> <p>1.4.3 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>1.4.4 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>1.4.5 Arrests and Extraditions Division (SAIC);</p> <p>1.4.6 Use-of-Force Investigations Division – FIU (SARP);</p> <p>1.4.7 Members of Joint Forces (SAIC);</p> <p>1.4.8 Canine Division (SAIC);</p> <p>1.4.9 Remaining personnel of the Office of the Assistant Superintendent for Field Operations;</p> <p>1.4.10 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations;</p> <p>1.4.11 Office of the Assistant Superintendent for Professional Responsibility;</p> <p>1.4.12 Office of the Assistant Superintendent for the La Fortaleza Police;</p> <p>1.4.13 Office of the Assistant Superintendent for Education and Training; and</p> <p>1.4.14 Office of the Assistant Superintendent for Managerial Services.</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	In progress; pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity X.III.1.5

X.III.1.5	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) of the MPRPBs that perform supervisory or administrative duties on <b>the Performance Evaluation System for the MPRPBs</b> through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval. (Table 15)
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	PRPB has requested an extension.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met. Extension requested.</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan. Once the Court approves the extension, the rating will be re-evaluated.

## Activity X.III.1.6

X.III.1.6	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <p>1.6.1 Personnel assigned to the Zones of Excellence (SAOC);</p> <p>1.6.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following:</p> <p>1.6.2.1 Number of use-of-force incidents per location;</p> <p>1.6.2.2 Number of domestic violence incidents per location;</p> <p>1.6.2.3 Number of interventions with intoxicated persons;</p> <p>1.6.2.4 Number of traffic stops;</p> <p>1.6.2.5 Number of arrests made;</p> <p>1.6.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion;</p> <p>1.6.2.7 Aggression against an MPRPB;</p> <p>1.6.2.8 Number of mass protests;</p> <p>1.6.2.9 Distance from support units;</p> <p>1.6.2.10 Motorized Unit (SAOC); and</p> <p>1.6.2.11 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	TCA assessment has not reviewed the materials on the Performance Evaluation System for the MPRPBs. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity X.III.1.7

X.III.1.7	<p>The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units:</p> <p>1.7.1 Personnel assigned to the Office of the Superintendent;</p> <p>1.7.2 Division of Tactical Operations – DTO (SAOC);</p> <p>1.7.3 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>1.7.4 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>1.7.5 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>1.7.6 Arrests and Extraditions Division (SAIC);</p> <p>1.7.7 Use-of-Force Investigations Division – FIU (SARP);</p> <p>1.7.8 Members of Joint Forces (SAIC);</p> <p>1.7.9 Canine Division (SAIC);</p> <p>1.7.10 Remaining personnel of the Office of the Assistant Superintendent for Field Operations;</p> <p>1.7.11 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations;</p> <p>1.7.12 Office of the Assistant Superintendent for Professional Responsibility;</p> <p>1.7.13 Office of the Assistant Superintendent for the La Fortaleza Police;</p> <p>1.7.14 Office of the Assistant Superintendent for Education and Training;</p> <p>1.7.15 Office of the Assistant Superintendent for Managerial Services.</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	TCA assessment has not reviewed the materials on the Performance Evaluation System for the MPRPBs. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan</p>

## Activity X.III.1.8

X.III.1.8	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) of the employees that perform supervisory or administrative duties on <b>the Early Identification System (EIS) Procedures Manual and General Order</b> through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Action Plan Section X. Supervision and Management Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.1.9

X.III.1.9	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <ul style="list-style-type: none"> <li>1.9.1 Personnel assigned to the Zones of Excellence (SAOC);</li> <li>1.9.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following: (Table 16) <ul style="list-style-type: none"> <li>1.9.2.1 Number of use-of-force incidents per location;</li> <li>1.9.2.2 Number of domestic violence incidents per location;</li> <li>1.9.2.3 Number of interventions with intoxicated persons;</li> <li>1.9.2.4 Number of traffic stops;</li> <li>1.9.2.5 Number of arrests made;</li> <li>1.9.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion;</li> <li>1.9.2.7 Aggression against an MPRPB;</li> <li>1.9.2.8 Number of mass protests; and</li> <li>1.9.2.9 Distance from support units.</li> </ul> </li> <li>1.9.3 Motorized Unit (SAOC).</li> <li>1.9.4 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</li> <li>1.9.5 The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units: <ul style="list-style-type: none"> <li>1.9.6. Personnel assigned to the Office of the Superintendent;</li> <li>1.9.7 Division of Tactical Operations – DTO (SAOC);</li> <li>1.9.8 Division of Special Weapons and Tactics – SWAT (SAOC);</li> <li>1.9.9 Bureau of Highway and Traffic Patrols (SAOC);</li> <li>1.9.10 Bureau of Vehicle Theft Investigations (SAIC);</li> <li>1.9.11 Arrests and Extraditions Division (SAIC);</li> <li>1.9.12 Use-of-Force Investigations Division – FIU (SARP);</li> <li>1.9.13 Members of Joint Forces (SAIC);</li> <li>1.9.14 Canine Division (SAIC);</li> <li>1.9.15 Remaining personnel of the Office of the Assistant Superintendent for Field Operations;</li> <li>1.9.16 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations;</li> <li>1.9.17 Office of the Assistant Superintendent for Professional Responsibility;</li> <li>1.9.18 Office of the Assistant Superintendent for the La Fortaleza Police;</li> <li>1.9.19 Office of the Assistant Superintendent for Education and Training;</li> <li>1.9.20 Office of the Assistant Superintendent for Managerial Services.</li> </ul> </li> </ul>
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Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan



## Activity X.III.1.10

X.III.1.10	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (100%) of the personnel assigned to the <b>Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility, on the Operational and Administrative Inspections Manual</b>, through instructors it has certified. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan.</p> <p>(Table 17)</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	An extension has been requested.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met. Submitted on September 2018. It is currently under development.</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan. Once the Court approves the extension, the rating will be re-evaluated.</p>

## Activity X.III.2.1

X.III.2.1	The PRPB will develop an automated <b>Performance Evaluation System</b> that will enable the personal and professional development of its employees in order to achieve the goals set forth in its policies and procedures and to see whether the evaluated employees meet the expected performance and conduct standards. <b>This activity will form part of the Information and Technology Systems Compliance Area Action Plan.</b>
Due Date	Six months after the policy takes effect.
TCA Assessment	TCA assessment has not reviewed an automated Performance Evaluation System. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met. Extension requested.</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.3.1

X.III.3.1	Develop a plan to organize and conduct inspections whereby the operational and administrative deficiencies of the different inspected work units of the PRPB are identified and the contributing causes are studied (Table 18).
Due Date	Six months after the policy takes effect.
TCA Assessment	Extension requested
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met. Submitted on September 2018. It is currently under development.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan. Rating will be re-evaluated after extension is granted.</p>

## Activity X.III.3.2

X.III.3.2	Implement the periodic, specific, and random Inspections Plan to ensure that all work units and personnel are complying with the policies and procedures established by the PRPB; identify operational and administrative deficiencies; and recommend potential corrective measures to address the deficiencies identified. (Table 18)
Due Date	Six months after the policy takes effect.
TCA Assessment	TCA assessment has not reviewed a policy reference a random inspections plan. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.4.1

X.III.4.1	Designate the representatives of each Executive Coordination Committee. (Table 19)
Due Date	July 2016
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.5.1

X.III.5.1	Consider the results of the Work Plan included in the Professionalization Action Plan, which will be carried out with the purpose of evaluating the human resources of the PRPB, taking into consideration their status and the operational and administrative work that they perform, in order to identify existing needs and then make decisions, to foster the correct distribution of personnel based on criminal activity and on the philosophy of community policing. (Table 20)
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Linked to P.13
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.5.2

X.III.5.2	Once considered by the Superintendent, identify the number of supervisors needed per rank and issue announcements for Promotional Exams so that the PRPB may meet the need for supervisors and provide the proper number of same.
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Linked to P.13
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.III.5.3

X.III.5.3	Based on the results of the promotional exams and on the needs previously identified in the Work Plan, assign the front-line supervisors who have satisfactorily completed the training required for the rank and that meet any other requirements established by the PRPB.
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Linked to P.13
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan



## Activity X.IV.1.1

X.IV.1.1	The Office of the Assistant Superintendent for Managerial Services and its Bureau of Technology and Bureau of Human Resources will call upon SARP and OLA to evaluate the <b>Early Identification System (EIS)</b> . They will identify the specifications that the database to be used must have according to their needs to collect the information related to the identification of the improper conduct and of the work that must be acknowledged among the employees of the agency. This system will form part of the <b>Information and Technology Systems Compliance Area Action Plan</b> .
Due Date	August 2017
TCA Assessment	Not developed. PRPB states that this will be in placed in October 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.IV.1.2

X.IV.1.2	The Office of the Assistant Superintendent for Managerial Services, its Bureau of Human Resources, in collaboration with the Bureau of Technology, will maintain a <b>Performance Evaluation System</b> to evaluate the performance of all PRPB employees. They will identify the specifications that the database to be used must have in order to collect performance evaluation information. This system will form part of the <b>Information and Technology Systems Compliance Area Action Plan</b> .
Due Date	August 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.IV.1.3

X.IV.1.3	<p>The PRPB will use the <b>Early Identification System (EIS)</b> to document all improper conduct, performance evaluations of the employees of the PRPB, and the services that they provide. This system will also document all work that is performed with excellence by the employees of the PRPB and will be integrated into the Human Resources Information System. (Table 21)</p> <p>1.3.1 All use-of-force incidents;</p> <p>1.3.2 Injuries and deaths of persons in custody;</p> <p>1.3.3 All complaints and their solutions;</p> <p>1.3.4 Data compiled with the mechanisms for obtaining information (stop data);</p> <p>1.3.4 All criminal proceedings initiated, in addition to all administrative complaints filed, related to the performance or aptitudes of an MPRPB, including, but not limited to, domestic violence and protective orders;</p> <p>1.3.6 All judicial proceedings involving domestic violence, protective orders, and any other judicial proceeding that may be related to the performance of a MPRPB.</p> <p>1.3.7 All instances when a fiscal authority informs the PRPB that the refusal to process a crime was based, totally or partially, on questions about the credibility of a PRPB employee, or that a motion to suppress evidence was granted on the basis of a constitutional violation by a member or civilian employee of the PRPB;</p> <p>1.3.8 All disciplinary actions taken against a member or civilian employee of the PRPB;</p> <p>1.3.9 All non-punitive corrective actions required for a member or civilian employee of the PRPB;</p> <p>1.3.10 All acknowledgments and rewards received by a member or civilian employee of the PRPB;</p> <p>1.3.11 Training history of every member or civilian employee of the PRPB;</p> <p>1.3.12 Identification information for every member or civilian employee of the PRPB;</p> <p>1.3.13 Demographics of each civilian involved in a use-of-force or search and seizure incident, sufficient to evaluate the existence of bias.</p>
Due Date	August 2017
TCA Assessment	Not developed

Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.IV.2.1

2.1	The Office of the Assistant Superintendent for Managerial Services, through its Bureau of Technology, will develop, in coordination with the SARP, an information system for the collection of relevant data and information about all <b>Operational and Administrative Inspections</b> performed by the SARP. This system will enable the identification and analysis of operational and administrative deficiencies, and of causes and contributing factors, to facilitate the implementation of the appropriate corrective measures. The system will provide periodic reports about the inspections and their results. (Table 22)
Due Date	December 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.V.1.1

X.V.1.1	<p>The PRPB, through the Office of Reform, will consistently use data collection strategies and periodically conduct specific and random monitoring of the different activities, operations, services, investigations, trainings, among others offered by the PRPB, such as:</p> <p>1.1.1 Use the Training Plan and the Training Announcement issued by the SAEA for every course, in order to identify the start date of each one, the period of time that the Police Areas and the Offices of the Assistant Superintendents will have to complete it, and the work units that will be given training priority. Likewise, the Training Plans of each of the thirteen (13) Police Areas and the Offices of the Assistant Superintendents, as approved by the SAEA, will be considered, to verify the specific dates during which each one of the trainings identified in this Action Plan will be offered. The Office of the Reform will use the sources mentioned above and the attendance records of each training to ensure that the MPRPBs are participating in the scheduled trainings.</p> <p>1.1.2 Make random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in keeping with the syllabi, instructor handbooks, presentations, and assessment methodology approved by the Technical Compliance Advisor.</p>
Due Date	Unknown.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b></p>

## Activity X.V.1.2

X.V.1.2	Evaluate the implementation of the quarterly meetings with the members of the Executive Coordination Committee and the purpose for which they were created.
Due Date	Unknown.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan

## Activity X.V.1.3

X.V.1.3	Measure progress of internal audits so that the officers in charge of all work units may take the appropriate corrective measures to correct operational deficiencies found. This will foster a culture of continuous improvement in all the divisions and among PRPB personnel.
Due Date	Unknown.
TCA Assessment	TCA assessment has not reviewed materials reference measuring progress of internal audits. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan



## Activity X.V.1.4

X.V1.4	Monitor to ensure that the required ratio of front-line supervisors to MPRPBs is established and maintained so that there may be direct and effective supervision in keeping with the generally accepted police practices. (Table 23)
Due Date	Eighteen (18) months after the approval of the Action Plan.
TCA Assessment	This is included in the extension request.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this step of the Action Plan. Once the extension is granted, the TCA will update his rating.</p>

## Compliance Tables for Administrative Complaints Action Plan

### Section XI: Administrative Complaints, Internal Investigations, and Discipline Requirements: 159 to 204

#### I. Policy and Procedure Development Objectives:

##### Activity XI.I.1.1

XI.I.1.1	Develop an Administrative Order to create a Public Information Program regarding the filing of administrative complaints and posters and flyers informing people how to file administrative complaints
Due Date	June 2015
TCA Assessment	PRPB has developed the Administrative Order and created posters explaining the complaint process, has updated their website to also outline the complaint process, and has advertised in the newspaper. TCA will obtain the media contract as an example of proof of compliance. This has not been signed
Recommendations	<p>In the public information literature and the posters there is clause, "Complaint letters will also be accepted but must be the original (no copies) and contain an original signature," which at minimum contradicts their practice of accepting complaints from all sources in any format. This may be construed to be a deterrent to filing written complaints. The TCA recommends that all relating literature not contain this clause, and that it is also clear that signatures are optional.</p> <p>During the 6<sup>th</sup> reporting period PRPB advised the Superintendent intends to revise the complaint requirement</p> <p>Continue review in accordance with Agreement requirements</p>
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

##### Activity XI.I.1.2

XI.I.1.2	Develop a Collaborative Agreement between the Puerto Rico Police Department and the Puerto Rico Department of Justice to establish a procedure for the PRPB to consult with the District Attorney's Office in order to determine whether to continue or suspend an administrative investigation, to avoid affecting a criminal proceeding and safeguard the constitutional rights of subject of a criminal investigation
Due Date	August 2017
TCA Assessment	Reviewed in September 2018 and October 2018
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met. Extension requested. Documents submitted on September 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

## Activity XI.I.1.3

XI.I.1.3	Review Regulations 6506 entitled “Regulations to Process Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB” to adopt the new “ <b>Regulations to Receive, Process, and Manage Administrative Complaints,</b> ” which will specify the process and mechanisms available for the receipt, tracking, processing, and final disposition of any administrative complaint that is submitted.
Due Date	October 2015 <u>Current Effective Date:</u> 10/31/2016
TCA Assessment	PRPB advised that the Regulation 6506 has been approved in 2016.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.I.1.4

XI.I.1.4	Develop the Administrative Complaint Investigation Procedures Manual, which will establish that, when investigating, all pertinent evidence will be taken into consideration and all investigative findings must be consistent with the facts and be supported by a preponderance of the evidence
Due Date	December 2015 <u>Current Effective Date:</u> 10/31/2016
TCA Assessment	PRPB advised that Manual has been completed but awaiting approval consistent with the ALPU (Uniform Administrative Law of Puerto Rico). Pending Commissioner's signature.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.I.2.1

XI.I.2.1	Review Regulations 4216 entitled “Puerto Rico Police Department Personnel Regulations” to establish the Code of Ethics and Conduct, identify minor and major violations and impose disciplinary actions.
Due Date	January 2016
TCA Assessment	PRPB has published the Code of Ethics and Conduct on its website, and it is out for public comments and awaits the signature from the Secretary of State of Puerto Rico. Pending PC’s signature.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.I.2.2

XI.I.2.2	Develop an Administrative Order for Supervisors on the Investigation, Management, and Adjudication of Minor Violations that establishes the procedure supervisors are to follow when they learn about improper conduct by a PRPB employee and authorizing them to investigate and take appropriate non-punitive corrective action or recommend disciplinary action when appropriate.
Due Date	March 2016
TCA Assessment	See 2.1 (above). Waiting for approval of Regulation 4216. No signature
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.I.2.3

XI.I.2.3	Develop an Administrative Order to create the Puerto Rico Police Department Personnel Assistance and Support Program through which some of the corrective, non-punitive measures available will be established
Due Date	July 2016
TCA Assessment	<p>TCA must confirm with the General Services Administration concerning this policy; not within SARP control</p> <p>In 6<sup>th</sup> period PRPB advised Administrative Order has been published in 2017, but this is not a SARP issue. Training manual approved in July 2018</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>



## Activity XI.I.3.1

XI.I.3.1	Review General Order 2010-14 entitled "Creation of the Office of the Assistant Superintendent for Professional Responsibility" establishing internal recruitment requirements, selection criteria, and performance evaluation criteria for continued assignment to SARP
Due Date	May 2015
TCA Assessment	PRPB has revised the General Oder that has been approved and appears on their website. See GO 100-114  During 6 <sup>th</sup> period, PRPB advised this activity is undergoing annual review
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.I.4.1

XI.I.4.1	Review Regulations 6403 entitled “Controlled Substance Detection Program for Puerto Rico Police Department Officials and Employees Regulations” to include the requirement of detecting anabolic steroids
Due Date	December 2016
TCA Assessment	<p>PRPB will check Regulation 6403 to determine if anabolic steroids has been added to program as a drug to be detected for employee use.</p> <p>During this period, PRPB advised the law is still pending. PRPB submitted a new regulation in September 2018.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met initially for submission. However, the timeframe <b>was not</b> met in terms of approval of the policy.</p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Training objectives

## Activity XI.II.1.1

XI.II.1.1	<p>1.1 The Office of the Assistant Superintendent for Education and Training will create<sup>1</sup> a Multi-topic Training Program to <b>train SARP and OLA personnel</b> on the procedure to receive, classify, process, and manage a complaint for improper conduct and the process of investigating administrative complaints. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> <li>a. criminal law;</li> <li>b. criminal procedure;</li> <li>c. evidence;</li> <li>d. constitutional rights;</li> <li>e. criminal investigation techniques;</li> <li>f. administrative investigation techniques;</li> <li>g. cybercrime;</li> <li>h. on-scene work;</li> <li>i. criminal photography;</li> <li>j. preparation of files and reports.</li> </ul> <p>After the approval of the Training Program and the incorporation of the recommendations, the SAEA will continue providing training on the topics corresponding to the following policies: (Table 10)</p> <ul style="list-style-type: none"> <li>k. training on the procedure to follow on parallel administrative and criminal investigations</li> <li>l. training on the new “Regulation to Receive, Process, and Manage Administrative Complaints”;</li> <li>m. training on the Administrative Complaint Investigation Procedures Manual;</li> <li>n. training on the Public Information Program regarding the Filing of Administrative Complaints;</li> <li>o. training on the Code of Ethics and Conduct that will be used to determine minor and major <del>offenses</del> and impose disciplinary <del>sanctions</del>;</li> <li>p. training on the Administrative Order for the Investigation, Management, and Adjudication of Minor Offenses by Supervisors; and</li> <li>q. training on the amendments to the Controlled Substances Detection Program for Officials and Employees of the Puerto Rico Police Department Regulations in relation to detecting anabolic steroids.</li> </ul>
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<sup>1</sup> See Appendix B – Training Development Process

Due Date	SEE SCHEDULES B & C
TCA Assessment	The PRPB requested an extension. Training will start in October 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.1.2

XI.II.1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>SARP and OLA personnel</b> . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval
Due Date	SEE SCHEDULES B & C
TCA Assessment	The PRPB requested an extension until July 2019.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.2.1

XI.II.2.1	The SAEA will create a multi-topic course to train the <b>personnel who perform management and supervisory duties</b> on the procedure supervisors are to follow when they learn that a citizen intends to file an administrative complaint, the time frames supervisors have to hand in a complaint filed for their consideration, and their authority to investigate and take non-punitive corrective or disciplinary measures when they learn about minor offenses or violations of PRPB policies. The responsibilities of high-ranking officers in relation to the evaluation of the investigations, the corrective measures to be taken, and the identification of deficiencies will be part of the training, which will also include learning about the duty to document and inform the SARP about improper conduct, the consequences of refusing to accept a complaint or providing false or deceitful information about a complaint for improper conduct, and the prohibition against retaliating in any way against an MPRPB who reports improper conduct
Due Date	See Appendix B
TCA Assessment	The PRPB requested an extension until August 2019. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.2.2

XI.II.2.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of the <b>personnel who perform management and supervisory duties</b> through instructors it has certified. The SAEA will train the remaining MPRPBs who perform supervisory duties during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.
Due Date	SEE SCHEDULES B & C
TCA Assessment	Same as above
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.2.3

XI.II.2.3	<p>The PRPB will begin by training <b>Supervisors</b> who belong to the following work units:</p> <p>2.3.1 Members of Joint Forces (SAIC);</p> <p>2.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>2.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>2.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>2.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>2.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weap.</p> <p>2.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>2.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>2.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>2.3.10 Canine Division, K-9 (SAIC); and</p> <p>2.3.11 Motorized Unit (SAOC).</p>
Due Date	See Appendix C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>



## Activity XI.II.2.4

XI.II.2.4	<p>The PRPB will continue training <b>Supervisors</b> who belong to Districts and Precincts, taking the following into consideration: (Table 13)</p> <p>2.4.1 number of use of force incidents per location;</p> <p>2.4.2 number of domestic violence incidents per location;</p> <p>2.4.3 number of interventions with intoxicated persons;</p> <p>2.4.4 number of arrests made;</p> <p>2.4.5 number of traffic stops;</p> <p>2.4.6 number of administrative complaints for the following: illegal or unreasonable arrests or detentions; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.</p>
Due Date	Appendix C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.II.3.1

XI.II.3.1	The SAEA will create a multi-topic course to train <b>PRPB personnel</b> on the requirement to report any conduct perceived as improper, the consequences of refusing to accept a complaint or providing false information, their duty to cooperate with any administrative investigation pursuant to the ruling in the case of <i>Garrity v. New Jersey</i> , and the existing mechanisms to file complaints for improper conduct or report the good performance of any MPRPB
Due Date	See Appendix B
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.II.3.2

XI.II.3.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of <b>PRPB personnel</b> through instructors it has certified. The SAEA will train the remaining fifty percent (50%) of Puerto Rico Police Department personnel during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval
Due Date	See Appendix C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.3.3

XI.II.3.3	<p>The PRPB will begin by training <b>PRPB personnel</b> who belong to the following work units:</p> <p>3.3.1 Members of Joint Forces (SAIC);</p> <p>3.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>3.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>3.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>3.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>3.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p> <p>3.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>3.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>3.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>3.3.10 Canine Division, K-9 (SAIC); and</p> <p>3.3.11 Motorized Unit (SAOC).</p>
Due Date	SEE SCHEDULES B & C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.II.3.4

XI.II.3.4	<p>The PRPB will continue training <b>PRPB personnel</b> who belong to Districts and Precincts, taking the following into consideration:</p> <ul style="list-style-type: none"> <li>3.4.1 number of uses of force incidents per location;</li> <li>3.4.2 number of domestic violence incidents per location;</li> <li>3.4.3 number of interventions with intoxicated persons;</li> <li>3.4.4 number of arrests made;</li> <li>3.4.5 number of traffic stops; and</li> <li>3.4.6 number of administrative complaints for the following: <ul style="list-style-type: none"> <li>illegal or unreasonable arrest or detention; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.</li> </ul> </li> </ul>
Due Date	SEE SCHEDULES B & C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.II.4.1

XI.II.4.1	The Division of Psychology and Social Work will develop the design of the informational session to inform <b>PRPB personnel who perform supervisory and administrative duties</b> about how to manage stress to prevent critical incidents and the support and mental health services available to them and their families.
Due Date	See Appendix B
TCA Assessment	Training started in March 2018
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is <b>in partial compliance</b> with this detailed step of the Action Plan until TCA verifies training attendance records and materials including stress related training

## Activity XI.II.4.2

XI.II.4.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of <b>PRPB personnel who perform supervisory and administrative duties</b> through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval
Due Date	See Appendix C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.II.4.3

XI.II.4.3	<p>The PRPB will begin by training <b>PRPB personnel who perform supervisory and administrative duties</b> who belong to the following work units:</p> <p>4.3.1 Members of Joint Forces (SAIC);</p> <p>4.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>4.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>4.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>4.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>4.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p> <p>4.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>4.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>4.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>4.3.10 Canine Division, K-9 (SAIC); and</p> <p>4.3.11 Motorized Unit (SAOC).</p>
Due Date	SEE SCHEDULES B & C
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>



## Activity XI.II.4.4

XI.II.4.4	<p>The PRPB will continue training <b>PRPB personnel who perform supervisory and administrative duties</b> who belong to Districts and Precincts, taking the following into consideration:</p> <p>4.4.1 number of uses of force incidents per location;</p> <p>4.4.2 number of domestic violence incidents per location;</p> <p>4.4.3 number of interventions with intoxicated persons;</p> <p>4.4.4 number of arrests made;</p> <p>4.4.5 number of traffic stops; and</p> <p>4.4.6 number of administrative complaints for the following: illegal or unreasonable arrest or detention; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.</p>
Due Date	SEE SCHEDULES B & C
TCA Assessment	PENDING REVIEW
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.III.1.1

XI.III.1.1	The Office of the Assistant Superintendent for Managerial Services and its Bureau of Technology and Bureau of Human Resources will call upon SARP and OLA to evaluate the Information System they must acquire. SARP and OLA will identify the needs of the work units involved in the process of recording and evaluating complaints for improper conduct for receiving, processing, and resolving them.
Due Date	February 2016
TCA Assessment	PRPB has contracted with a consulting firm for Information Technology needs.  During 6 <sup>th</sup> period, PRPB advised the firm is called Consulting 2 Success.  Implementation occurred in August 2018
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.2

XI.III.1.2	After making an inventory of the MPRPB files, SARP, OLA, and SASG, with its Bureau of Technology and Bureau of Human Resources, will establish the procedures to digitalize improper conduct investigation records for a minimum of five (5) years after the MPRPB has been discharged from the Agency
Due Date	May 2016
TCA Assessment	The process has started. Not completed.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.3

XI.III.1.3	Digitalize the physical files of employees with administrative complaints and dispose of the rest, as identified during the inventory process. The digitalization process will be carried out in accordance with the Protocol developed by the PRPB Bureau of Technology together with the SARP
Due Date	December 2017
TCA Assessment	PRPB states the system is available. SARP is converting records. Approximately 5000 of 7000 records in the first phase.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.4

XI.III.1.4	The Bureau of Technology will evaluate the current conditions of its automated systems and those that are in the process of being acquired or implemented to determine if they can be modified to meet the needs raised by SARP and OLA
Due Date	February 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement. SARP has been involved in the discussions
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.5

XI.III.1.5	Discuss the requirements for the development of the automated system with technology consultants or companies so that they can evaluate their ability to provide their services to the PRPB
Due Date	April 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.6

XI.III.1.6	Request formal proposals from technology consultants or companies for the development of the information system, which will be evaluated by a Committee created to select the contractor
Due Date	June 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement. Document request-----see if they put out a contract and for what
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XI.III.1.7

XI.III.1.7	Once the Proposal to develop the Administrative Complaints Information System is awarded, the selected consultant or company must meet the terms and conditions included in the Proposal.
Due Date	18 months after Proposal award date
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan



## Activity XI.III.1.8

XI.III.1.8	Train SARP and OLA personnel in the use of the Administrative Complaints Information System to record the receipt and processing of complaints for improper conduct as established in the Information Systems and Technology Compliance Area Action Plan.
Due Date	18 months after Information System design is completed
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XI.IV.1.1

XI.IV.1.1	The PRPB will use the various mass media available to develop a Promotion Plan to inform communities about their rights and the mechanisms available to file complaints for improper conduct against MPRPBs. Communities will also be informed about the alternatives available to recognize their good service. This activity will be developed together with the Community Engagement and Public Information Compliance Area
Due Date	September 2015
TCA Assessment	In addition to PRPB's efforts to publicize procedures for citizen complaints, PRPB also created form PPR 888 to capture citizen compliments of officers.  During 6 <sup>th</sup> period, PRPB advised they are still using Form PPR 888
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XI.IV.2.1

IV 2.1	The PRPB Division of Psychology will provide psychological and therapeutic services to treat cases referred through the Program (Personnel Assistance and Support Program)
Due Date	March 2017
TCA Assessment	<p>TCA will check with the PRPB Division of Psychology to determine the contours of this program. This is not within SARP control</p> <p>During 6<sup>th</sup> period, PRPB advised the Employee Assistance Program (PAE) was approved February 2017.</p> <p>The ratio officer: expert is too high</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in partial <b>compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.IV.2.2

XI. IV.2.2	The SAEA will re-train employees who have been referred through the Program after identifying a deficiency in their performance that can be corrected through re-training. This activity will be part of the <b>Training Action Plan</b> .
Due Date	SEE SCHEDULES B & C
TCA Assessment	This will become part of the PRPB Early Intervention System once developed. TCA will also confirm with SAEA about the training materials for this program.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Training Action Plan

## Activity XI.IV.3.1

XI.IV.3.1	SARP will conduct a study to determine the number of employees needed to investigate administrative complaints within the parameters established in the corresponding policies
Due Date	February 2016
TCA Assessment	SARP is conducting an assessment of their workload and personnel. However, they also await a scientific department-wide human resource study. See Paragraph 13 of the Agreement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan

## Activity XI.IV.3.2

IV 3.2	Conduct an internal recruitment process to identify possible candidates to be assigned to the SARP
Due Date	May 2016
TCA Assessment	<p>SARP will await a department-wide human resource study before creating specific recruitment materials, which would include designing ideal job qualifications.</p> <p>During 6<sup>th</sup> period, PRPB advised SARP currently has position openings</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.IV.3.3

IV 3.3	Carry out personnel selection and internal transfer processes to provide the necessary personnel to the SARP
Due Date	August 2016
TCA Assessment	<p>SARP will await a department-wide human resource study before creating specific recruitment materials, which would include designing ideal job qualifications.</p> <p>During 6<sup>th</sup> period, PRPB advised a General Order was approved to transfer officers into SARP listing entry requirements.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XI.V.1.1

V 1.1	<p>The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, and training courses, among others they provide, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 31)</p> <ol style="list-style-type: none"> <li>a. Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</li> <li>b. Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each training course developed for this compliance area in order to guarantee that PRPB personnel are being trained in keeping with the training materials approved by the Technical Compliance Advisor.</li> <li>c. Verifying that complaints sent to SARP are assigned for investigation within no more than five (5) business days.</li> <li>d. Corroborating that any person can file a complaint through the various means available.</li> <li>e. Visiting each of the thirteen (13) Administrative Complaint Investigation Divisions to randomly review files to verify that administrative investigations are being completed within no more than ninety (90) days from the receipt of the complaint. If complaints exceed said period, the file must include the authorization for an extension.</li> </ol>
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	<p>f. Randomly reviewing administrative complaint files sustaining an allegation in order to check that the PRPB is notifying the respondent of the decision and corresponding disciplinary measure no later than thirty (30) days after the decision that the allegation is sustained.</p> <p>g. Randomly reviewing administrative complaint files to corroborate that the recommendation for each of the complaints is one of the following final dispositions: unfounded, sustained, not sustained, or exonerated.</p> <p>h. Randomly reviewing administrative complaint files to corroborate that for every complaint received at the SARP, the complainant was given written notice of the complaint number assigned, the investigator assigned the complaint, any extensions granted, the final disposition and any non-punitive disciplinary measure or action applied, and the right to request a review of the final disposition.</p> <p>i. Making random visits to command offices, districts, precincts, posts, and units in the thirteen (13) Police Areas and Offices of Assistant Superintendents to corroborate that the guidance posters on how to file complaints and recognitions are visible and that they have forms PPR-111 and PPR-888 available.</p>
Due Date	May 2016
TCA Assessment	<p>This is the umbrella task and responsibility for complaint intake and investigation for the Reform Unit as it relates to the Reform Unit ensuring accountability within PRPB. The enumerated activities identify with specificity how the Reform Unit will examine implementation of the intake, investigation, and timeliness of all complaints through field on-site audits and inspections.</p> <p>During 6<sup>th</sup> period, PRPB advised that this Unit now has 1 Captain, 3 First LTs, 2 Second LTs, 3 Sgts, and 4 Agents</p>

Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met  The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

## Compliance Tables for Community Action Plan

### Section XII. Community Interaction and Public Information Requirements: 205 to 217

#### I. Policy and Procedure Development Objectives:

##### Activity XII.I.1.1

XII.I.1.1	Review General Order, Chapter 800, Section 801, entitled “Functioning of the Central Committee and the Area community interaction councils with the Puerto Rico Police Department” (hereinafter OG 801) establishing the way in which its members will review and evaluate the policies and procedures. (Table 1)
Due Date	March 2015 <u>Current Effective Date</u> : 04/20/2017
TCA Assessment	During this period, the TCA conducted the annual review of the General Order 800-801: Citizens Interaction Committees. After being revised, it was approved by the TCA in March 2017. <u>Compliance with 50% of the training</u> : 02/28/2019 (projected compliance date) <u>Compliance with 100% of the training</u> : 10/30/2019 (projected compliance date) <u>Training Name</u> : “REA-803: Policía Comunitaria”
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XII.I.3.2

XII. I.3.2	Review General Order 2005-7, entitled “Reorganization and Re-naming of the Public Information Office as the Press Office” to establish the manner in which to communicate the information in ongoing investigations or incidents, through the media, including social media, websites, and other electronic platforms, in accordance with the best and generally accepted practices, and with the principles of community policing. (Table 4)
Due Date	June 2016
TCA Assessment	<p>-The review process of this policy began last semester.</p> <p>-The General Order 2005-7: Reorganization and Re-naming of the Public Information Office as the Press Office, became General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Both policies were approved by the TCA in the month of December 2016.</p> <p>-As a result of the reaction of the media of both orders, they have been subjected to a new review process where the recommendations given by the press should be considered.</p> <p>-In May 2017, review meeting of General Order 100-125: Press Office was held. The TCA presented its comments and recommendations at that meeting.</p> <p>-As for General Order 600-634: Dissemination of Incident Information, TCA has now received a new draft of this policy during the period covered by this report.</p>
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity XII.II.3.1

XII.II.3.1	<p>The Auxiliary Superintendency for Education and Training will create a Multi-Topic Training Program for the personnel that works <b>at the Central Press Office, in the Areas, and for the high-ranking officers</b> of the PRPB, about the dissemination of public information and about incidents or ongoing investigations from a community perspective and said training will include practical police Q &amp; A scenarios before the press. The Program will include the following topics: (Table 7)</p> <ul style="list-style-type: none"> <li>1.1.1. freedom of the press</li> <li>1.1.2. right to privacy</li> <li>1.1.3. defamation and libel</li> <li>1.1.4. ethics in the dissemination of information</li> <li>1.1.5. what and when something is public information</li> <li>1.1.6. importance of the media in solving criminal cases</li> <li>1.1.7. dissemination of public information in ongoing situations</li> <li>1.1.8. protecting victim and witness Information</li> <li>1.1.9. drafting press releases</li> <li>1.1.10. oral communication in the media</li> <li>1.1.11. use of electronic media to disseminate public information</li> <li>1.1.12. image portrayed in the media, and</li> <li>1.1.13. media management and interviews.</li> </ul>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	<p>The processes related to this activity have been stopped, until the following policies are approved again: General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Make reference to the information provided in the activity I.3.2.</p> <p>No progress until Manual is in place</p>
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	<p>Timeframe was <b>not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan</p>

## Activity XII.II.3.2

XII.II.3.2	<p>The Auxiliary Superintendency for Education and Training will create training for the personnel that carries out <b>management and supervisory</b> duties at the PRPB about the dissemination of public information and about incidents or ongoing investigations from a community perspective and said training will include practical police Q &amp; A scenarios before the press. The Program will include the following topics: (Table 8)</p> <ul style="list-style-type: none"> <li>1.1.1. freedom of the press</li> <li>1.1.2. right to privacy</li> <li>1.1.3. defamation and libel</li> <li>1.1.4. ethics in the dissemination of information</li> <li>1.1.5. what and when something is public information</li> <li>1.1.6. importance of the media in solving criminal cases</li> <li>1.1.7. dissemination of public information in ongoing situations</li> <li>1.1.8. protecting victim and witness information</li> <li>1.1.9. oral communication in the media</li> <li>1.1.10. image portrayed in the media, and</li> <li>1.1.11. media management and interviews.</li> </ul>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>The processes related to this activity have been stopped, until the following policies are approved again: General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Make reference to the information provided in the activity I.3.2.</p> <p>No progress until Manual is in place</p>
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

## Compliance Tables for Information and Technology Action Plan

### Section XIII. Information and Technology Requirements: 218 to 224

#### Section I. Policy & Procedure Development

##### Activity XIII.I.1.1

<p>XIII.1.1.1 1 – 11  (Table 1)</p>	<p>1.1 Collaborate in the development of the Administrative Order that will create the Public Information Program regarding the filing of administrative complaints, as well as the posters and fliers informing people how to file administrative complaints. <b>This policy will form part of the Administrative Complaints Compliance Area Action Plan.</b></p> <p>The policy was signed on November 2, 2015. The Commonwealth of Puerto Rico is <b>in full compliance</b> in this detailed step of the Action Plan)</p> <p>1.2 Collaborate in the revision of General Order 2000-3, entitled “Controls on the Use, Filing, and Final Disposition of Incident Reports (NIBRS) at the Puerto Rico Police Department”. <b>This policy will form part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.</b></p> <p>The policy was signed on January 1, 2016. The Commonwealth of Puerto Rico is <b>in full compliance</b> in this detailed step of the Action Plan)</p> <p>1.3 Collaborate in the review of General Order 2007-1 “Duties and Responsibilities of the Sex Crimes and Child Abuse Divisions”. <b>This policy will be part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.</b></p> <p>The policy was signed on April 21, 2016. The Commonwealth of Puerto Rico is in <b>full compliance</b> in this detailed step of the Action Plan)</p> <p>1.4 Collaborate in the review of Regulations 6506, entitled “Regulations for the Processing of Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB” to adopt the new “Regulations for Receiving, Processing, and Managing Administrative Complaints”. <b>This policy will form part of the</b></p>
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**Administrative Complaints Compliance Area Action Plan.**

The policy was signed on October 31, 2016. The Commonwealth of Puerto Rico is in **full compliance** in this detailed step of the Action Plan)

1.5 Collaborate in the development of the General Order for Hate Crime Data Collection and Management. **This policy will be part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.**

The policy was signed on October 13, 2016. The Commonwealth of Puerto Rico **is in full compliance** in this detailed step of the Action Plan)

1.6 Collaborate in the development of the protocol for the digital recording and storage of communications generated between immediate supervisors and MPRPBs through the Command Center and Radio Control communication channels. **This policy will form part of the Searches and Seizures Compliance Area Action Plan.**

The policy was signed on October 13, 2016. The Commonwealth of Puerto Rico is in **full compliance** in this detailed step of the Action Plan)

1.7 Collaborate in the revision of General Order 2010-1, entitled "Reorganization of the Internal Audit Office". **This policy will form part of the Supervision and Administration Compliance Area Action Plan.**

The policy was signed on November 1, 2016. The Commonwealth of Puerto Rico is in **full compliance** in this detailed step of the Action Plan)

1.8 Collaborate in the revision of General Order 2008-3 entitled, "Rules and Procedures for the Evaluation of MPRPBs and Classified Personnel". **This policy will form part of the Supervision and Administration Compliance Area Action Plan.**

The policy is under evaluation. The Commonwealth of Puerto Rico is in **full compliance** in this detailed step of the Action Plan.

1.9 Collaborate in the development of policy to protect the copyrights of the PRPB in the creation of policies, training courses, posters, and printed and/or electronic media. **This policy will form part of the Policies and Procedures Compliance Area Action Plan.**

The policy is being evaluated by the LPAU. The Commonwealth of Puerto Rico is in **full compliance** in this detailed step of the Action Plan)



	<p>1.10 Collaborate in the development of a General Order for the Creation of the Early Identification System (EIS). <b>This policy will be part of the Supervision and Administration Compliance Area Action Plan.</b></p> <p>Planned submission to TCA scheduled for October 2017. The Commonwealth of Puerto Rico is in <b>full compliance</b> in this detailed step of the Action Plan</p> <p>1.11 Collaborate in the development of a Procedures Manual for the Use of the Early Identification System (EIS). <b>This policy will form part of the Supervision and Administration Compliance Area Action Plan.</b></p> <p>Planned submission to TCA scheduled for November 2017. The Commonwealth of Puerto Rico is in <b>full compliance</b> in this detailed step of the Action Plan</p>
Due Date	Varied
TCA Assessment	<p>BT continues to collaborate with all elements of PRPB in these areas</p> <p>Note: that these tasks are found primarily in other AP Areas.</p>
Recommendations	Continue Collaboration between TCA and PRPB
TCA Rating	<p>Timeframe: see above</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan, except for EIS that is non-compliance</p>

## Activity XIII.I.1.12

XIII.I.1.12 Table 1	1.12 Review General Order Chapter 100, Section 101, entitled “Reorganization of the Office of the Assistant Superintendent for Managerial Services”, in order to efficiently and effectively adapt it to the implementation of the Agreement
Due Date	August 2016. The current effective date is 01/25/2017.
TCA Assessment	The Superintendente signed the GO on January 2017. No revision.
Recommendations	Implement & Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.1.13

XIII.I.1.13 Table 2	1.13 Develop a General Order establishing the processes and procedures of the Bureau of Technology for updating and implementing the information and technology systems infrastructure, including hardware, software, and communications. Additionally, establish IT governance methodology and processes in keeping with the best practices. (Table 2)
Due Date	August 2016
TCA Assessment	The General Order 100-123 invokes necessary roles and responsibilities for the BT and therefore throughout the other AP's and Decree. It was signed January 23, 2017. The current effective date is 4/25/2018 is for policy 1 and 12/19/2016 for policy 2.
Recommendations	Implement & Monitor. BT must execute IAW the GO and the PRPB must resource and enforce the intent of the GO. Special attention must be placed on the distribution of requirements definition in other offices and accountability for managing to successful outcomes regarding system development, training, data collection etc. Follow up monitoring requires evidence of this behavior. Reforma and CIO claim that the final decision on the DPS standup (DHS Equivalent) is a pacing gate for fullest implementation of the above. Complete, recommend close. PRPB is the process of developing the training. See also REA-404 on radios and CAD-101.
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.2.1

XIII.I.2.1 Table 3	2.1 Review General Order 73-13, entitled “Rules and Procedures for Walkie-Talkie Use, Control, and Identification”, to standardize the radio communications of the PRPB in terms of security and efficiency by establishing the duties and responsibilities of Agency employees when using and managing radio communications, as well as the activities that are carried out at a radio station, including the duties and limitations of the operator. Additionally, establish guidelines and safety procedures for radio frequency use. (Table 3)
Due Date	October 2016 -- Signed Jan 13, 2017
TCA Assessment	Complete, recommend close
Recommendations	Implement & Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.2.2

XIII.I.2.2 Table 4	2.2 Establish a Collaborative Agreement with the agencies that make up the Interoperability System and the PRPB in order to facilitate the interconnection of the inter-agency communications infrastructures and create a network that will enable the uninterrupted exchange of information through data, radio, video conference, fax, or telephone communication. This collaborative agreement will be updated as new technologies related to the interoperability systems arise. (Table 4)
Due Date	Nov 2016
TCA Assessment	<p>This task is important to the ongoing transformation. Obstacles listed such as “gathering people to meet” are NOT obstacles. They are tasks surmountable through management intervention and attention. Budget Obstacles at the working level are understandable but must be addressed by PRPB leadership. Re-use of budget restrictions, as a means for not accomplishing tasks is “convenient” but not adequate. Monitor Comment -- According to Reforma POC this task was proposed to be moved under the Puerto Rico DPS (DHS equivalent) via a request on 1/29/17 to TCA and DOJ.</p> <p>Reforma Comment -- “PRPB submit a proposal to the TCA and DOJ on those matters, based on a meeting about this action plan activity on December. In addition, Article (1.15) of the Puerto Rico Department of Public Safety Act (Act 20-2017) establishes the interoperability of the agencies.”</p> <p><b>Not</b> compliant; TCA has asked PRPB to solicit evidence that formally transfers this agreement to the authority of DSP. This has been raised to DSP who have now assumed authority on this task. This is still pending with DPS. It is pending extension.</p>
Recommendations	Prioritize work and complete tasks. Employ proposed solutions. The law determining scope of authority is not the same as an MOU or MOA defining an operating agreement and the services exchanged
Compliance	<p>Timeframe <b>was not met. Extension requested.</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan. However, PRPB has requested an extension. Once the extension is approved by the Court, the TCA will update the rating.</p>

## Activity XIII.I.2.3

XIII.I.2.3 Table 5	2.3 Review General Order 97-16, entitled “Reorganization of the San Juan Command Center and the Radio Command Centers of the Police Areas and Establishment of Work Guidelines for the 9-1-1 Emergency System”, to redefine their duties and responsibilities, taking into consideration the technological advances that have been positively developed and implemented in the information and communication systems of the agency. Additionally, update the processes and procedures established in the PRPB for the 9-1-1 Emergency System. (Table 5)
Due Date	December 2016
TCA Assessment	IT Monitor recommended approval on 5/21/2017. Approval of GO on 10/2/2017. This is pending with DPS.
Recommendations	Superintendente Sign, Implement & Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.3.1

XIII.I.3.1 Table 6	3.1 Develop a General Order for the Use and Handling of Portable Recording Devices for the MPRPBs to establish guidelines for the recording, review, use, distribution, and storage of incident recordings, as well as the duties and responsibilities of the MPRPBs who use said equipment. Additionally, guide the processes and procedures for the Supervisors that are needed when interviewing and recording the statements of complainants and witnesses during the investigation of complaints regarding inappropriate use of force or improper conduct or behavior of the MPRPBs. (Table 6)
Due Date	May 2017
TCA Assessment	<p>IT Monitor comment; Partial Signature October 20, 2016 on GO 400-402 But Standard</p> <p>Operating Procedures Manual is required which will need to be reviewed by Monitor. Draft policy received in Reforma for review and edit on 4/26/2017.</p> <p>Reforma comment: draft policy will be sent to TCA on 5/31/2017. Approval of GO on 10/2/2017</p> <p><u>Compliance with the Activity:</u> 09/30/2018</p>
Recommendations	Task must be completed
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan</p>

## Activity XIII.I.4.1

XIII.I.4.1 Table 7	4.1 Review General Order, 2003-25, entitled “Rules and Controls for the Use of the Computerized Systems of the Puerto Rico Police Department”, in order to update the processes and procedures that have been incorporated into the information systems, communications, and technology services developed and implemented at the PRPB. (Table 7)
Due Date	October 2016 Signed December 19, 2016. <u>Current Effective Date:</u> 12/19/2016
TCA Assessment	GO 400-403 signed
Recommendations	Implement & Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan



## Activity XIII.I.4.2

XIII.I.4.2 Table 8	4.2 Develop User Manual for the Computer Systems of the Puerto Rico Police Department, in order to update the processes and procedures that have been incorporated into the information systems, communications, and technology services developed and implemented at the PRPB. (Table 8)
Due Date	January 2017 Signed December 19, 2016
TCA Assessment	GO 400-403 pending PC signature
Recommendations	Implement and Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>full compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.4.3

XIII.I.4.3 Table 9	4.3 Develop a General Order establishing the Central Crime Data Collection Repository <sup>3</sup> (CIW), in order to implement guidelines to collect and distribute statistics about the incidents registered at the PRPB. Additionally, incorporate the processes and procedures needed to analyze and distribute the information about the criminal activity in all of the pertinent operational and administrative units of the Agency. (Table 9)
Due Date	Feb 2017 -- IT Monitor recommended approval on 5/21/2017. <u>Current Effective Date</u> : 06/28/2018
TCA Assessment	This is a major and significant component of being able to collect and assess data relevant to compliance with the Decree and eventual transformation. Completion of the GO signals a commitment to policy. Implementation of CIW and commitment of the resources needed remains to be seen.
Recommendations	Implement and Monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.4.4

XIII.I.4.4 Table 10	4.4 Develop a Manual for the Use and Handling of the Central Crime Information Warehouse (CIW). (Table 10)
Due Date	March 2017 <u>Compliance with the Activity</u> :4/25/17. Pending PC signature as of September
TCA Assessment	4/25/17 PRPB submitted to TCA in March 2017, TCA responded with comments on 4/13/2017. PRPB has not received DOJ Comments.  5/1/2017 Reforma comment -- PRPB asked for the approval memo from TCA. TCA indicated Reform Unit revisions are ongoing
Recommendations	Continue to monitor
Compliance	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.4.5

## Activity XIII.I.4.6

AP Section I.4.6, Table 12, Decree areas: 218,223, 224	4.6 Develop a General Order regulating access and handling by the MPRPDs of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (RCI) provided by the Division of Information of the U.S. Criminal Justice System and by the Puerto Rico Department of Justice. (Table 12)
Due Date	July 2017 <u>Compliance with the Activity:</u> 07/30/2018
TCA Assessment	8/18/17 – reviewed this day collaboratively between PRPD, DOJ and TCA. Edits are required. Bazan recommendations for 5-year retention will be vetted by Reforma.  3/21/18 –comments from PR DOJ provided 3/20/18. Redraft will be provided to TCA projected 3/31/18
Recommendations	
Compliance	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XIII.I.4.7

AP Section I.4.7, Table 13, Decree areas: 218, 214	Develop a General Order for the Use and Handling of the Crime Mapping Application Software. (Table 13)
Due Date	October 2017 <u>Current Effective Date:</u> 04/24/2018
TCA Assessment	Nov/17 – PRPD proposed GO to TCA. Cragg reviewed and responded via TCA that draft was acceptable with changes.  PRPD notified 11/10/7. 8/15/17 - In process. 3/21/18 – at Commissioner for signature.
Recommendations	
Compliance	Timeframe <b>was met</b>  The Commonwealth of Puerto is in <b>partial compliance</b> with this detailed step of the Action Plan

## Section II. Training Development Objectives

## Activity XIII.II.1.1

XIII.II.1.1 Table 14	1.1 Develop training for the administration, configuration, and diagnosis of radio communication equipment, geared towards the personnel of the Communications Division of the Bureau of Technology and Communications of the PRPB, (Table 14)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b>
TCA Assessment	<p>GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19.</p> <p>Reform Unit comment: The design and training development are expected to be submitted to the TCA for approval on time.</p> <p>8/15/17 – Manual approval by the Superintendente is pacing completion of this training.</p> <p>8/17/17 - Expected signature is imminent for manual approval. SAEA says Training is in development, estimate for submission to TCA is 1 Sep 2017.</p> <p>3/21/18 – per PRPB there is no change. This still a SAEA responsibility. PRPB indicated that the training is in the process of being ready, part virtual, virtual in the classroom.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe <b>was not met. Extension requested for March 2019.</b></p> <p>The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XIII.II.1.2

XIII.II.1.2 Table 15	1.2 Develop training for the use and handling of the radio communication equipment at the PRPB, geared towards the MPRPBs. (Table 15)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	<p>GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19.</p> <p>Reform Unit comment: The design and training development are expected to be submitted to the TCA for approval on time.</p> <p>8/15/17 – Reforma states that the manual is in development.</p> <p>8/17/17 - SAEA says Training is in development, there is no projected date for this syllabus.</p> <p>3/21/18 – pending SAEA follow through.</p> <p>PRPB indicated that the training is in the process of being ready, part virtual, virtual in the classroom.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe <b>was not met. Extension requested for January 2019.</b></p> <p>The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan</p>

## Activity XIII.II.1.3

Extension requested.

## Activity XIII.II.1.4

XIII.II.1.4 Table 17	1.4 Develop training for the administration and diagnosis of the computer system at the Puerto Rico Police Department, geared towards the personnel of the Technology Division of the Bureau of Technology and Communications of the PRPB, (Table 17)
Due Date	May 2017 Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	GO 400-403 signed Dec 19, 2016. Training start projection June 2017. First 50% trained is targeted June 2018, second 50% targeted June 2019.  3/21/18 – per PRPB there is no change. This still a SAEA responsibility. Extension requested.
Recommendations	Continue to monitor
TCA Rating	Timeframe <b>was not met. Extension requested for April 2019.</b>  The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan. Extension requested.



## Activity XIII.II.1.5

XIII.II.1.5 Table 18	Develop training on the Manual for the Use and Handling of the Computerized Systems of the Puerto Rico Police Department, geared toward the MPRPBs and the employees of the PRPB classified system. (Table 18)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B – Training Design Process</b> .
TCA Assessment	Projected start of training is June 2017, 50% complete June 2018, 100% June 2019. Extension requested.
Recommendations	Continue monitoring
TCA Rating	Timeframe <b>was not met. Extension requested for January 2019.</b>  The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan. Extension requested.

## Activity XIII.II.1.6-8

<p>XIII. II.1 (.6, .7, 8)</p> <p>Tables 19, 20, 21</p>	<p>Develop training on the Manual for the Use and Handling of the Central Repository for Crime Data Analysis (CIW) at the Puerto Rico Police Department, aimed at the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center, the Crime Statistics Division, as well as for the employees who collect statistical data in the Police Areas. (Table 19)</p> <p>Develop training on accessing and using the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR) geared toward the MPRPBs. (Table 20). Policy projected June 2017</p> <p>Develop training on accessing and using the criminal activity map, geared toward the MPRPBs. (Table 21). Due date Projected Policy submit October 2017.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in <b>Appendix B</b> – Training Design Process.
TCA Assessment	Extension requested.
Recommendations	Continue monitoring
TCA Rating	<p>Timeframe <b>was not met. Extension requested for August 2019.</b></p> <p>The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan Extension requested.</p>

## Section III. Training Implementation Objectives

## Activity XIII.III.3.7

<p>XIII. III.1.3.7, III.1.4, III.1.5, III.1.6, III.1.7, III.1.10</p> <p>Table 22, 23, 24, 25, 26 , 27</p>	<p>1.3.7 The training courses to be implemented will cover the following topics:</p> <ul style="list-style-type: none"> <li>a) use and handling of radio communications equipment; (Table 22)</li> <li>b) use and handling of portable recording devices for the MPRPBs; (Table 22)</li> <li>c) use and handling of the computerized systems of the Puerto Rico Police Department (Table 22)</li> </ul> <p>1.4 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) <b>on the administration, configuration, and diagnosis of radio communications equipment</b>. The remaining fifty percent (50%) of the <b>employees assigned to the Communications Division</b> will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 23)</p> <p>1.5 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) <b>the employees assigned to the Technology Division on the administration and diagnosis of the computerized systems of the Puerto Rico Police Department</b>. The remaining fifty percent (50%) of the <b>employees assigned to the Technology Division</b> will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 24)</p> <p>1.6 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended,</p>
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	<p>the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center; the Crime Statistics Division, as well as the employees who collect statistical data in the Police Areas on the Manual for the Use and Handling of the Central Crime Information Warehouse (CIW). The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 25)</p> <p>1.7 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of <b>all MPRPBs on the Use and Handling of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR)</b>. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 26)</p> <p>1.10 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) <b>of all MPRPBs on the Use and Handling of the Crime Mapping Application Software</b>. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 27)</p>
Due Date	The trainings will be implemented as stated in <b>Appendix C– Training Implementation Process</b> .
TCA Assessment	Per Monitor Youngs -- PRPB has yet to provide TCA with adequate evidence of materials concerning handling of radio communications equipment. Extension requested.

Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto is in <b>non-compliance</b> with this detailed step of the Action Plan

## Section IV. Information and Technology Systems Development and Implementation Objectives

## Activity XIII.IV.1.1

XII.IV.1.1 Table 28	1.1 Develop an information system to support the implementation of the Action Plans of the compliance areas included in the Agreement. This system will be used to follow up on the activities identified in the Action Plans, including their descriptions, start, and the final progress of each effort that is carried out, as well as the specific repetitions for each process established in the approved General Orders and forms. (Table 28)
Due Date	October 2016
TCA Assessment	Demonstrated to TCA Monitors on May 24-25, 2017. This deliverable was jointly developed with the IT Monitor and is being implemented by Reforma. It is a “living management tool. It is critically dependent on the finalization of the English translation of the Consolidated Action Plans which as of 5/26/2017 has not yet been released by PRPB. Planned demonstration moved to April 2018
Recommendations	Release the Final Consolidated AP’s in English. Manage, revise and monitor
TCA Rating	Timeframe <b>was met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

## Activity XIII.IV.1.2

<p>XIII.IV.1.2</p> <p>Table 29</p> <p>See also Search and Seizure able 5.</p>	<p>1.2 Develop and implement the Information System for the collection of the computer-aided Dispatch system (CAD). This information system will be used to collect data and information about the incidents reported in all of the offices and divisions of the Puerto Rico Police Department. Additionally, the system will include as a basis the forms approved by the PRPB, such as: the Complaint Card (PPR-84) and the Incident Report (PPR-468), the Traffic Accident Report (PPR-93 and 94) in electronic format, among others, as well as the different forms for the operational, investigative, and administrative activities of the MPRPBs. This system will be initially implemented in the Zones of Excellence and then gradually throughout all of the Puerto Rico Police Department. This activity is included in the <b>Equal Protection and Non-Discrimination Action Plan</b>. (Table 29)</p>
<p>Due Date</p>	<p>36 months (once the NIBRS and any other policy that may affect the system are ready)</p>
<p>TCA Assessment</p>	<p>CAD is in operation and CAD Mobile is in pilot although without training materials. As such full rollout is being held in abeyance. According to PRPB the CAD Mobile system is in partial use and is limited by the lack of formal training provided by SAEA.</p> <ul style="list-style-type: none"> <li>• NIBRS manual is approved (Jan 2016 GO was approved).</li> <li>• The CAD Mobile manual is not yet approved. Reforma states that it's in TCA for review</li> <li>• Superintendente will sign after TCA.</li> <li>• Next phase of CAD Mobile pilot could begin August 2017 with CAD.</li> </ul> <p>Update 8/15/17</p> <ul style="list-style-type: none"> <li>• NIBRS manual is approved by TCA(Jan 2016 GO was approved).</li> <li>• The CAD Mobile manual is not yet approved by TCA. Reforma states that its in TCA for review</li> <li>• Superintendente will sign after TCA.</li> <li>• Next phase of CAD Mobile pilot could begin August 2017 with CAD.</li> </ul> <p>CAD is in operation and CAD Mobile is in pilot although without training materials. As such, full rollout is being held in abeyance. According to PRPD the CAD Mobile system is in partial use and is limited by the lack of formal training to be provided by SAEA.</p>

	<p>Update 3/21/2018 CAB mobile is in implementation</p> <p>PRPB states that only 54% of mobiles are operational. PRPB is asking for a 12-month extension. See Docket 775 (3/9/2018). Submitted to Court. This extension was further discussed with PRPB and USDOJ on 3/22/2018 meeting with the TCA. Extension requested and pending court approval.</p>
Recommendations	<p>SAEA prioritize CAD Mobile curricula development. Follow Through with CAD Mobile implementation. 3/21/18 – IT Monitor recommends IT compliance is met and that CT Monitors receive a demonstration of CAD/Mobile in order to verify functionality. It is important to note that SAEA has not yet completed training.</p>
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>



## Activity XIII.IV.1.2.1

XIII.IV.1.2.1, Table 30	1.2.1 Develop an information sub-system or module for the collection, storage, and distribution of data and information related to the activation and mobilization of specialized tactical units (STUs) that will include operational and tactical plans, as well as the requirement to report after each activity in which they have participated. This sub-system will provide the scheduled reports needed to review unit activations and mobilizations and identify the MPRPBs that belong to said units. Once per year, the PRPB shall conduct a full analysis of use-of-force incidents in order to identify significant trends and fix the deficiencies that are found, in accordance with the law and the best accepted police practices. Therefore, the system will be modified and adapted to any changes that affect the collection and distribution of data and information. This activity is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> . (Table 30)
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	<p>NIBRS manual is approved (Jan 2016 GO was approved). Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA. At this point the 36-month clock will begin however Mobile CAD is already in Pilot. Maybe go live in august 2017 with CAD. TCA (Romero) – subsystem is done but training manual is not complete because the NIBRS manual is not complete.</p> <p>PRPB states that only 54% of mobiles are operational. PRPB is asking for a 12-month extension. See Docket 775 (3/9/2018). Submitted to Court. This extension was further discussed with PRPB and USDOJ on 3/22/2018 meeting with the TCA.</p>
Recommendations	Review Pilot status and forms in July and August with PRPB. 3/21/18 – to be validated during the demo in April 2018.
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

## Activity XIII.IV.1.2.2

<p>XIII.IV. 1.2.2</p> <p>Table 31</p> <p>See also Search and Seizure table #5</p>	<p>1.2.2 Develop an information sub-system or module for the collection of data and information related to incidents that lead to arrests and searches, using the forms approved for said purposes (PPR-853, entitled “<b>Plan to Carry Out Arrests/Detentions and Searches/Seizures</b>” and PPR-880, entitled “<b>MPRPB Incident Report Narrative</b>”). Once per year, the PRPB shall conduct a full analysis of the information on the searches and seizures it conducted, in order to identify significant trends and fix the deficiencies that are found, in accordance with the law and the best accepted police practices. Therefore, the system will be modified and adapted to any changes that affect the collection and distribution of data and information. This activity is included in the <b>Equal Protection and Non-Discrimination Action Plan</b>. (Table 31)</p>
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	<p>NIBRS manual is approved (Jan 2016 GO was approved).</p> <p>Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA.</p> <p>At this point the 36 months clock will begin however CAD is already in Pilot. May go live in August 2017 with CAD. 3/21/18 – to be validated during the demo in April 2018. PRPB requested 12-month extension, Docket 775. Extension requested.</p>
Recommendations	Review Pilot status and forms in July and August with PRPB
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan. No compliance until a successful demonstration is completed</p>

## Activity XIII.IV.1.2.3

XIII.IV.1.2.3  Table 32	1.2.3 Update and/or incorporate the forms approved by the PRPB needed for collection of data and information about incidents, which provide statistics, in order to add the processes and mechanisms needed to effectively organize the police work by the police, with local diagnostics, work plans for the problem areas that are identified, monitoring, permanent follow-up, and internal evaluation. These operational forms will be updated whenever changes that may affect it are made to the policy or procedure. Additionally, if the need to collect data and information about statistics needed for the operational, investigative, and/or administrative area were to arise, it will be included in the maintenance of the system for its corresponding evaluation and inclusion in the annual budget. This activity is included in the <b>Equal Protection and Non-Discrimination Action Plan</b> . (Table 32)
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	NIBRS manual is approved (Jan 2016 GO was approved). Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA. At this point the 36 months clock will begin however CAD is already in Pilot. May go live in august 2017 with CAD. Update 3/21/18 – to be validated during the demo in April 2018. PRPB requested 12-month extension, Docket 775.
Recommendations	Review Pilot status and forms in July and August with PRPB
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed

## Activity XIII.IV.1.4

XIII.IV.1.4  Table 35	<p>1.4 Develop and implement an information sub-system for keeping digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop trainings and re-training courses at the SAEA. This sub-system will enable document storage by category and access level. This activity is included in the <b>Training Action Plan</b>. (Table 35)</p> <p>The focus and scope of the information system that will be developed to maintain digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop training and re-training courses are described in the following phases:</p>
Due Date	December 2016
TCA Assessment	In development but needs to be merged with HR system (Kronos) Update 3/21/18 – PRPB states that the system/application was completed 12/16. However, legacy data transfer and validation is unclear with HR. PRPB requested 12-month extension, Docket 775. Extension requested
Recommendations	Continue effort.
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

## Activity XIII.IV.1.5

XIII.IV.1.5  Table 36	1.5 Develop and implement an information sub-system to offer virtual (online) training and/or re-training, in order to maximize MPRPB service time and provide greater accessibility and flexibility so that they may fulfill their work commitments without affecting the performance and quality of the services they offer to the community. This activity is included in the <b>Training Compliance Area Action Plan</b> . (Table 36)
Due Date	12 months after the corresponding policies have been approved.
TCA Assessment	<p>Contract for on-line training awarded to Natl Univ College. Work started to develop training packages.</p> <p>Reforma comment: the first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible.</p> <p>Update 3/211/18 – PRPB notes that 10 systems are completed, 10 more are in development. Approximately 15 additional systems are to be completed. PRPB requested 12-month extension, Docket 775.</p>
Recommendations	Continue monitoring
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

## Activity XIII.IV.1.6

XIII.IV.1.6 Table 37	1.6 Develop an information system or module for the digital recording and storage of communications generated between immediate supervisors and MPRPBs through the Command Center and Radio Control channels that have been used to communicate the elements of probable cause for which a MPRPB made a felony arrest for obstruction of justice or resisting arrest. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each department, together with the Bureau of Technology and Communications. This activity is included in the <b>Searches and Seizures Action Plan</b> . (Table 37)
Due Date	18 months after the corresponding policy has been approved.
TCA Assessment	<p>As of 5/25/17 -- GO 400-402, Policy was approved 10/20/2016. April 2018 system is due department wide. In San Juan the legacy system exists but there is no new system since the decree. CIO has requested to buy new systems and infrastructure.</p> <p>Update 3/21/18 – equipment has been purchased. System in development. Questionable status of training at SAEA. Projected operational date is unknown. PRPB requested 12-month extension, Docket 775. Extension requested</p>
Recommendations	Continue monitoring
TCA Rating	<p>Timeframe <b>was not met</b></p> <p>The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

## Activity XIII.IV.1.7

XIII.IV.1.7 Table 38	1.7 Develop an information system or module to digitally record and store incident-related videos captured in the portable recording devices, and the recordings collected by supervisors based on the statements of complainants and witnesses taken as part of the investigation of complaints about inappropriate use of force or improper conduct. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each office and division, together with the Bureau of Technology and Communications. (Table 38)
Due Date	18 months after the corresponding policy has been approved.
TCA Assessment	Policy was due in May 2017 and drafted. Update 3/21/18 – Policy drafted but unknown what the leadership position is regarding Body Worn Cameras.
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan.

## Activity XIII.IV.1.8

XIII.IV.1.8  Table 39	Develop an information system or module to collect and distribute data and information about alliances created, activities, specific problems addressed, measures adopted, and obstacles faced by the PRPB, as well as recommendations for future improvements. This sub-system will serve as basis for the annual report on the alliances that have been created, the activities that have been carried out, and the measures adopted by the PRPB, among other matters. Additionally, the information collected through this mechanism will serve as a work tool for the Office of the Superintendent and related units of the PRPB. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each office and division, together with the Bureau of Technology and Communications. This activity is included in the <b>Community Engagement and Public Information Action Plan</b> . (Table 39).
Due Date	January 2017
TCA Assessment	Update 3/21/18 – System available for implementation. Not observed in use. Training status questionable. IT monitor recommends confirmation. PRPB requested 12-month extension, Docket 775. Extension requested
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan.

## Activity XIII.IV.1.9

## Activity XIII.IV.1.9.1

## Activity XIII.IV.1.9.2

## Activity XIII.IV.1.9.3

Pending finalization all policies before implemented. Agreement between Reforma, TCA and DOJ. PRPB requested 12-month extension, Docket 775. Extension requested



**Activity XIII.IV.1.10**

XIII. IV.1.10  Table 44	1.10 Create a Virtual Library on the PRPB website where all current policies and procedures, and the different forms will be published and indexed in a way that PRPB employees can easily access them and that the general public may also access them, as long as they do not contain confidential information. This activity is included in the <b>Policies and Procedures Action Plan</b> . (Table 44)
Due Date	6 months after the approval of the Administrative Order creating the Virtual Library of the PRPB.
TCA Assessment	Pending finalization all policies before implemented. Agreement between Reforma, TCA and DOJ. PRPB requested 12-month extension, Docket 775. Extension requested
Recommendations	
TCA Rating	Timeframe <b>was not met</b>  The Commonwealth of Puerto Rico is in <b>partial compliance</b> with this detailed step of the Action Plan

**Activity XIII.IV.1.11**

Pending finalization all policies before implemented. Agreement between Reforma, TCA and DOJ. PRPB requested 12-month extension, Docket 775. Extension requested

## Section V. Self-Assessment Objectives

## Activity XIII.V

<p>XIII.V,  Table 46</p>	<p>1. To make sure that services have been provided in an equitable, respectful, and unbiased manner, guarantee that PRPB personnel are being trained in accordance with the policies, procedures, and approved training materials, and know whether or not the community's trust in the PRPB has increased and whether solid relationships have been developed with the community, various self-assessment mechanisms will be adopted to measure the level of compliance with the Agreement for the Sustainable Reform of the PRPB and to identify the aspects that need to be corrected and improved.</p> <p><u>Activities:</u></p> <p>1.1 The PRPB, through the Office of Reform, will use various data collection strategies and will conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others provided by the PRPB, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 46)</p> <ol style="list-style-type: none"> <li>a. Review all components of information and technology systems infrastructure in functional and operational terms, at the General Headquarters and throughout the entire PRPB.</li> <li>b. Inspect the use and handling of the information systems implemented throughout the PRPB.</li> <li>c. Pay random visits to the PRPB units and divisions to evaluate their information and technology systems needs for the implementation of the Agreement.</li> <li>d. Corroborate the correct use of the electronic forms developed for the information systems established in the action plans of the different Compliance Areas.</li> <li>e. Conduct preventive inspections of computer and electronic equipment to identify potential flaws or breakdowns that could affect the safety of MPRPBs in operational and field activities.</li> <li>f. Review the distribution of documents, data, and information in the PRPB website to ensure that they are always updated and available for citizens, entities, and agency employees.</li> <li>g. Evaluate the safety of the data and information distributed in the</li> </ol>
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	<p>information systems developed or acquired by the PRPB.</p> <p>h. Review the hardware and software inventory, use licenses of service providers, information systems, and any other technology related to the technological infrastructure of the PRPB.</p>
Due Date	NA
TCA Assessment	Continue monitoring. PRPB requested 12-month extension, Docket 775. Extension requested.
Recommendations	
Compliance	<p>Timeframe <b>was met</b></p> <p>The Commonwealth of Puerto Rico is in <b>non-compliance</b> with this detailed step of the Action Plan</p>